

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,)	
Plaintiff/Defendant-in-Counterclaim)	
)	
v.)	Civil Action No. 05-CV-10506 (WGY)
)	
J.P. MORGAN CHASE BANK, as Trustee for the)	
the Registered Holders of Credit Suisse First)	
Boston Mortgage Securities Corp., Commercial)	
Mortgage Pass-Through Certificates, Series)	
1999-C1,)	
Defendant)	
)	
and CSFB 1999 – C1 ROYALL STREET, LLC,)	
Defendant/Plaintiff-in-Counterclaim)	
)	
and)	
)	
WILLIAM LANGELIER and GERALD)	
FINEBERG,)	
Defendants-in-Counterclaim)	

**OPPOSITION OF BLUE HILLS OFFICE PARK LLC , GERALD FINEBERG AND
WILLIAM LANGELIER TO PETITION FOR ATTORNEYS’ FEES AND EXPENSES
OF DEFENDANTS AND PLAINTIFFS-IN-COUNTERCLAIM J.P. MORGAN
CHASE BANK, AS TRUSTEE AND CSFB 1999-C1 ROYALL STREET LLC**

Blue Hills Office Park LLC, William Langelier and Gerald Fineberg (collectively, “Blue Hills”) hereby oppose the Petition for Attorneys’ Fees and Expenses of Defendants and Plaintiffs-in-Counterclaim J.P. Morgan Chase Bank, As Trustee and CSFB 1999-C1 Royall Street, LLC (“Petition”). By its Petition, Defendants and Plaintiffs-in-Counterclaim J.P. Morgan Chase Bank, As Trustee and CSFB 1999-C1 Royall Street, LLC (collectively, “Lender”) are seeking a total of \$2,056,566.01, consisting of attorneys’ fees in the amount of \$1,764,226.50, disbursements in the amount of \$109,070.75, expert witness fees in the amount of \$183,258.75,

and significant prejudgment and post-judgment interest. Despite Lender's efforts to represent the total amount of fees and costs as reasonable in light of the results and the so-called "swing" of \$27 million –created by adding together what Lender sought on its counterclaim with what Blue Hills sought in its affirmative claims – the amounts sought by Lender are excessive and unreasonable. The bills for Lender's legal services, attached as "Tab D" to the Affidavit of Bruce E. Falby ("Falby Affidavit") filed in support of the Petition, contain numerous examples of impermissible and inaccurate billing, including, without limitation, the following:

- "block billing" – often in excess of 8 hours – containing vague descriptions of work;
- excessive and repetitive billing for certain work;
- work done by senior counsel that could (and should) have been performed more cost-effectively by less senior counsel;
- administrative, technical or clerical tasks that should properly be classified as overhead; and
- travel expenses, meals, and secretarial overtime that should not be recoverable as reasonable or necessary attorneys' fees and costs.

Accordingly, Lender's attorneys' fees of \$1,764,266.50 and the disbursements of \$109,070.75 should be significantly reduced. In further opposition, Blue Hills avers and asserts as follows:

A. Standard for Evaluating Reasonableness of Attorneys' Fees

1. Massachusetts Law Applies

In a diversity matter, federal courts apply state law to determine the amount of attorneys' fees to be recovered. *Northern Heel Corp. v. Compo Industries, Inc.*, 851 F.2d 456, 475 (1st Cir.1988). Under Massachusetts law, "[t]he question of what is fair and reasonable compensation for legal services rendered is one of fact for a trial judge to decide." *Mulhern v. Roach*, 398 Mass. 18, 23 (1986). The trial judge is in the best position to determine both how

much time was reasonably spent on a case and the fair value of the attorney's services rendered. *Hill v. Samuel Cabot, Inc.*, 2001 WL 184565, *3 (Mass.App.Ct.,2001) (discussing award for attorneys' fees pursuant to a breach of an indemnity contract).

The lodestar method of calculating reasonable attorneys' fees involves the multiplication of the number of hours reasonably spent on a task by a reasonable hourly rate. *Fontaine v. Ebtec Corporation*, 415 Mass. 309 (1993). Although the Court is not required to use the lodestar method in determining fees, the Massachusetts Supreme Judicial Court has upheld the use of lodestar method as within the trial judge's discretion. *Berman v. Linnane*, 434 Mass. 301 (2001). As such, the use of the lodestar method is logical, expected and fair.

2. Fees Must Be Reasonable Even if Allowed By Contract

Fees and costs may not be awarded unless reasonable in amount. *See, e.g. First Nat'l Bank v. Brink*, 372 Mass. 257 (1977). The Court may adjust or deny the award of fees even when attorneys' fees are provided for in a contractual provision. *Accusoft Corp. v. Palo*, 237 F.3d 31 (1st Cir. 2001). This discretion may be exercised despite the request for fees having been brought in good faith and based on a reasonable amount of hours. *See id.*

In all sections of the Note and in the Mortgage cited by Defendants (Note §4, Mortgage Agreement ¶¶26, 26, and 38) and in Mortgage Agreement ¶54 governing the "Recourse Provisions," the words "reasonable" or "reasonably incurred" modify and circumscribe the Lender's right to collect attorneys' fees and costs. Trial Exhibits 4 and 5. In the Petition, Lender apparently relies upon certain language in the Guaranty that does *not* contain the specific or exact word "reasonable" when discussing attorneys' fees. Trial Exhibit 7. However, the absence of the word "reasonable" does not affect the standard governing an award of attorneys' fees. The Court must still evaluate the reasonableness of the fees claimed. In *MIF Realty, L.P. v.*

Fineberg, 989 F.Supp. 400 (1998), cited by Lender as concerning a contractual provision awarding fees that did not contain the term “reasonable,”¹ the MIF Court evaluated “what is fair and reasonable compensation for the services rendered” in accordance with certain factors. *MIF Reality*, 989 F.Supp. at 402, citing *First National Bank*, 372 Mass. at 257; *WHTR Real Estate Limited Partnership v. Venture Distributing Inc.*, 63 Mass. App. Ct. 229, 238 (2005).

3. The Court Must Consider Several Factors to Determine Fees

In determining the reasonableness of attorneys’ fees, the factors to be considered by the Court include “the ability and reputation of the attorney, the demand for his services by others, the amount and importance of the matter involved, the time spent, the prices usually charged for similar services by other attorneys in the same neighborhood, the amount of money or the value of the property affected by the controversy, and the results secured.” *See, e.g. Cummings v. Nat’l Shawmut Bank*, 284 Mass. 563 (1934). In applying these factors, the “trial bench need not feel handcuffed by counsel’s submission of time records, no matter how elaborate.” *United States v. Metropolitan Dist. Comm’n*, 847 F.2d 12, 18 (1st Cir. 1988). “To the contrary, the presiding judge must draw on his experience and wisdom in deciding whether the time spent on each phase was in excess of a reasonable amount.” *Id.*

Specifically, the Court may consider such factors as whether time is “block billed” by the attorney and whether tasks listed in the invoices could have been more efficiently conducted by junior attorneys. *See Guckenberger v. Boston University*, 8 F. Supp. 2d 91 (1998) (reducing or eliminating block billed, duplicative, and administrative time entries); *Jacobs v. Mancuso*, 825 F.2d 559(1st Cir. 1987) (time must be recorded in “appropriately small increments”); *Ellis v. Varney*, 19 Mass. L. Rptr. 260, 2005 WL 1009634 (Mass. Super. 2005) (block billing in

¹ Petition, page 13.

increments of 4 hours or more is commercially unreasonable). In addition, travel expenses for commuting time, clerical tasks performed by paralegals, time billed to summer associates or interns, secretarial overtime, and charges for meals are generally not compensable as attorneys' fees and costs. *Guckenberger*, 8 F. Supp. 2d 91, 102; *In re Bank of New England Corp.*, 134 B.R. 450 (1991).

As discussed in greater detail, *infra*, Lender's bills contain numerous "block billed," duplicative, unnecessary, and improper charges that should either be deducted in their entirety or, at minimum, significantly reduced to a reasonable and fair level.

B. Lender's Time Records Contain Excessive "Block Billing" and Ambiguous Descriptions of Work Performed

The bills submitted by Lender's counsel contain numerous instances of "block billing." In many instances, more than one task has been included in the description for each given unit of time. For example, in the billing entry for May 16, 2006, approximately 7 different tasks are lumped together² as having taken a total of 14.3 hours of time. As a result, it is impossible to determine how much time was spent on any given task – a necessary step in the evaluation of the reasonableness of an attorney's fees. In several other instances, only one general task is defined for a significant block of time. For example, on a single bill for services rendered for May 2006, there are no less than 13 time entries by Attorney Tracy Feit ("Feit") described only as "Research and draft summary judgment motion [or brief]" or "Research and draft motion for summary judgment." Of these nearly identical general time entries, at least 8 of them consist of single blocks of time ranging from 8.1 - 11.2 hours per entry.

² An entry on May 16, 2006 by Attorney Bruce Barnett for 14.3 hours of time is described as follows: "Summary judgment preparation, including revise statement of facts, research re. same, revise briefs, legal and fact research re. same, draft LNR and Wells Fargo affidavits, telephone conferences with Wells Fargo, LNR re. same."

“[B]lock billing, certainly as regards segments of time in excess of four hours or more, and likely less, [is] commercially unreasonable, as it is bound to lead to uncertainty at least, and a likelihood of inaccuracies, such as by exaggeration of absolute time spent, by failing to deduct the occurrence of non-billable events within the time, by failing to itemize time spent on individual functions, and to have failed to itemize the amount of particular time spent towards particular claims.” *Ellis*, 2005 WL 1009634 at 4. The bills submitted with the Petition indicate numerous instances of significant “block billing,” often in increments in excess of 8 or 10 hours. A spreadsheet demonstrating the instances of significant block billing for Attorneys Bruce Barnett (“Barnett”), Bruce Falby (“Falby”), and Feit, as well various paralegals and project assistants, is attached here as Exhibit “A.”³

As illustrated on Exhibit “A,” approximately 2276 hours were billed in blocks of time exceeding 4 hours. These entries total \$861,567.75. Of those block billed time entries, several entries were in excess of 10 hours each: Barnett had at least 36 separate entries in excess of 10 hours each; Falby had at least 20 entries in excess of 10 hours each; Feit had at least 12 entries in excess of 10 hours each and paralegal Susan McNabb (“McNabb”) had at least 7 entries in excess of 10 hours each. In such large time blocks, there is no indication that any occurrence of non-billable events within that time was deducted. Moreover, it is impossible to discern how much time was spent on individual functions. *See id.* Accordingly, the more than \$861, 567.75 in “block billed” time entries should be eliminated or, in the alternative, significantly reduced by this Court.

³ This spreadsheet details all “block billing,” although there are other bases for challenging the work. See Exhibit “C” for a comprehensive spreadsheet of all challenged costs and fees.

C. Lender's Bills Contain Excessive and Repetitive Charges

The *Ellis* Court emphasized that “[w]hile in an ideal world, with access to unlimited funds, it may be beneficial to the overall success of a trial matter for senior counsel to conduct every event and to examine every page of discovery. . . it is unrealistic, unreasonable and excessive to do so.” *Id.* In holding that deductions must be made for overstaffing and redundancy, the *Guckenberger* Court stated that “just as there can be too many cooks in the kitchen, there can be too many lawyers on a case.” *Guckenberger*, 8 F. Supp. 2d at 102. Since January 2005, Lender’s bills contain time entries for 33 people: 10 partners, 1 of counsel, 4 associates, 10 paralegals; 2 ”project assistants”; 2 summer associates; 3 ”monthly staff” and 1 librarian. Attached as Exhibit “B” is a spreadsheet detailing the billing rates for each person appearing on the bills attached as “Tab D” to the Falby Affidavit.

Lender’s billing records reveal numerous instances of overstaffing and excessive charges throughout the course of litigation. Some examples are summarized below:

1. Pre-litigation charges in December 2004 and January 2005

The foreclosure sale of the Property occurred on November 19, 2004. Shortly thereafter, in December 2004, Lender claimed to have first learned of the Zoning Appeal litigation filed by Blue Hills and the settlement of that litigation. As set forth in December 2004 and January 2005 bills attached to the Falby Affidavit, Lender’s counsel billed \$11,160.37⁴ in December 2004 and \$21,973.50 - total of \$ 33,133.87 exclusive of disbursements - conducting research, reviewing documents and drafting memoranda before any lawsuit was filed by either Blue Hills or Lender. By way of example, Feit billed approximately 24 hours in January 2005- \$5640 - for reviewing

⁴ Tab E to the Falby Affidavit states that only \$5,500.50 in fees were billed in December 2004 although the bill itself states \$11,160.37. It is unclear which number is correct.

documents and for drafting a memorandum regarding “possible claims” against Blue Hills. Further, Attorney Randolph Tucker (“Tucker”) billed 25.9 hours in January 2005 (\$14,115) for reviewing documents, reviewing Feit’s memorandum, and having several “assignment conferences” with Feit. Conferences are often seen as duplicative and time has been reduced on this basis several times. *See, e.g. McMillan*, 140 F.3d 288, 311 n. 8 (affirming district court’s total elimination of hours spent by one attorney’s “consulting with” the trial attorney about the case); *Weinberger v. Great N. Nekoosa Corp.*, 801 F.Supp. 804, 819 (D.Me.1992) (disallowing 80% of time spent in co-counsel conferences). None of this time appears to have been spent relative to drafting any pleadings. The approximately \$30,000.00 spent on pre-litigation tasks unrelated to the drafting of pleadings is excessive and should be reduced by at least 50%.

**2. Filing of Complaint and Pre-Discovery charges from February 2005
- August 2005**

Blue Hills filed its Complaint on or about February 11, 2005. In February and March 2005, Lender’s counsel billed over \$35,000.00 for drafting and conducting research in connection a their Notice of Removal to federal court, consisting of a 5 page pleading based solely on the diversity of citizenship among 3 entities. That amount is highly excessive, particularly since Lender had in its possession all documentation related to the formation of Blue Hills and to each respective ownership interest and, thus, should have been able to quickly and easily determine the citizenship of such entities.

Specifically, Feit billed approximately 17 hours for research regarding removal of a state court action to federal court. In a complete duplication of effort, Barnett also billed approximately 16 hours to research regarding removal. Attorneys Feit, Barnett and Tucker also collectively billed approximately 40 hours in additional research, drafting and revising the 5 page

pleading and holding conferences to discuss removal. Lender's counsel dedicated more than 70 hours and charged approximately \$34,000.000 relative to researching, drafting, and filing a 5 page Notice of Removal based upon diversity jurisdiction. Such amount is much too high for such a simple task and indicates, *inter alia*, that the work performed must have been duplicative and excessive. Accordingly, the Court should exercise its discretion to discount the amount of fees claimed by at least 50%. Attached as Exhibit "D" is a spreadsheet detailing the time spent on removing this action to federal court.⁵

Lender filed its petition for removal to federal court on or about March 17, 2005. Thereafter, the parties filed approximately 4 stipulations (separate filings in March, April, May, and June 2005) to extend the time in which Lender could file its responsive pleadings. Blue Hills filed its First Amended Complaint on April 29, 2005, to which Lender responded by answering and filing counterclaims on or about June 8, 2006. Lender also filed a motion to strike Blue Hill's jury demand on or about June 6, 2005. This motion to strike jury demand was resolved by a stipulation. In June 2005, the Court also set a scheduling conference for July 12, 2005.

For the 5 ½ month period from the filing of the action to the initial scheduling conference, Lender's counsel seeks to recover approximately \$168,000.00 in fees and costs. (See Tab E to the Falby Affidavit). No discovery – including initial disclosures – had been conducted as of the date of the initial scheduling conference on July 12, 2005 and no motions were argued. This amount is excessive for the tasks undertaken. For example, in addition to the approximately \$34,000.00 spent on researching and filing a petition to remove the action to federal court, Lender's counsel seeks recovery of approximately \$130,000.00 relative to the tasks of answering

⁵ Exhibit "D" is a snapshot of the total fees challenged, which are contained in Exhibit "C."

the amended complaint, drafting its counterclaims, drafting an unnecessary motion to strike Blue Hill's jury claim and preparing for the scheduling conference to be held in July 2005. During this period, no time was billed to initial disclosures or discovery.

3. First Phase of Written Discovery from August 2005 – December 2005

In accordance with the Court's scheduling order, the first phase of discovery, from September 2005 to December 2005, was limited to 15 interrogatories, 15 requests for admissions and one set of document requests. During these four months, Lender's counsel charged over \$134,000.00 for drafting limited written discovery and for responding to Blue Hills requests for limited discovery in this four month time period. In drafting the initial requests for discovery, Feit had billed approximately 23.2 hours prior to September 15, 2005, the date that the initial discovery requests were served. In addition, Barnett billed 6 hours in drafting the same discovery requests. Finally, Falby billed 3.8 hours reviewing the requests while Tucker also billed 3 hours reviewing these requests. In total, 36.4 hours were spent on just drafting these limited requests at a cost of approximately \$11,291.00 incurred by September 15, 2005.

By agreement of the parties, responses to the initial set of discovery was extended until November 2005. No depositions occurred during the initial phase of discovery, which ended in December 2005. The initial phase of discovery was in anticipation of a mediation session to be held on January 18, 2006. Barnett billed approximately 69.7 hours in October 2005 and 50 hours in November 2005 – a total of 119.7 hours and more than \$40,000.00 – responding to Blue Hills initial written discovery requests. Feit billed approximately 32 hours on the same tasks. In addition, paralegal N. Yavin ("Yavin") billed over 12 hours in connection with document production in October 2005 at a rate of \$130.00 per hour (\$1,800.00). A "monthly staff" person completed technology related tasks totalling \$910.00, which are undisputedly overhead costs.

Again, two attorneys and one paralegal billed an excessive number of hours for the same tasks, which were then reviewed by partners. Accordingly, this Court should reduce the total amount spent of \$134,000.00 by at least 50% to account for the duplication of effort by associates and paralegals. A chart detailing the excessive and duplicative fees relative to the first phase of discovery is attached hereto as Exhibit "E."

**4. Second Phase of Written Discovery, Depositions and Expert Disclosures
February 2006 - April 2006**

After the unsuccessful mediation on January 18, 2006, the parties exchanged their second set of written discovery and noticed depositions. In addition, Lender filed an unnecessary motion to compel discovery, a motion to compel the deposition of Mr. Gerald Fineberg, and an untimely motion to amend its Complaint which was denied by the court on March 8, 2006. Amounts spent on these unnecessary tasks should be deducted. In addition to time spent drafting a mediation statement and preparing for the mediation on January 18, 2006, both Attorneys Barnett and Falby attended the mediation, billing 9.5 hours and 8 hours, respectively, for a total of \$8,320.00. Two attorneys were not needed to accomplish these tasks.

For the second phase of written discovery, both Feit and Barnett billed for drafting and responding to the requests. Further, Falby, Barnett and Feit, as well as Yavin, also billed time relative to preparing for depositions. Exhibit "F" attached hereto, contains an itemization of some of the excessive and duplicate work – totalling \$206,130.00 – by Lender's counsel during the second phase of discovery. For example, on February 10 and February 13, 2006, Barnett billed a total of 12.7 hours to "prepare for Donovan deposition." On February 10, 12 and 13, Falby billed a total of 10.7 hours for the exact same time entry. Exclusive of paralegal time, a

total of 23.4 hours were spent just preparing for one deposition, for which Falby billed an additional 8 hours to conduct.

In *Dixon*, the Court held that an average of ten hours *total* for both deposition preparation and attendance was reasonable. *Dixon*, 434 F.Supp.2d at 81. In reaching that conclusion, the Court made a comparison to the time spent on depositions in the case of *Wilcox v. Stratton Lumber Inc.*, 921 F.Supp. 837, 847 (D.Me.1996), in which ten hours of deposition preparation was found to be excessive. In *Dixon*, the work of paralegals was reduced for time preparing for and attending depositions, as well as reviewing summary judgment motions, because it was seen as duplicative since an attorney had already billed for the same tasks. *Id.* Accordingly, this Court should find that 23.4 hours of attorney preparing time for one 8 hour deposition to be excessive. Similar duplication of effort is seen in connection with the preparation for and conducting of the other approximately 14 fact witness and 6 expert depositions. Attached as Exhibit “F” hereto is a spreadsheet detailing this duplication of effort during the second phase of discovery. These fees should be excluded or significantly reduced.

5. Summary Judgment April 2006 – August 2006

Motions for summary judgment were filed on or about May 17, 2006 and oppositions were filed on or about May 31, 2006. Reply briefs were filed in June 2006. Lender also filed a motion to strike the testimony of Dr. Kenneth Gartrell, one of Blue Hills’ expert witnesses, which was promptly denied by the Court on June 1, 2006 as premature. See Tab E to the Falby Affidavit. Lender billed nearly \$547,000.00 for summary judgment related tasks from April 2006 – August 2006. Of the \$547,000.00 spent on summary judgment related work, at least \$305,000.00 represents excessive and duplicative work. See Exhibit “G” attached hereto. The total amount spent on summary judgment should be reduced by at least 50%.

As discussed, *supra*, there are many instances of improper “block billing” reflecting duplicative and excessive time. For example, from March 2006 – May 2006, Feit spent approximately 196.5 hours on researching and drafting Lender’s motion for summary judgment. Almost every entry is “block billed” with the general descriptions such as “research” and “draft motion” During the same time period, Barnett billed approximately 115 hours reviewing and revising the summary judgment motion and preparing the statement of undisputed facts. In addition, Falby billed approximately 70 hours in reviewing and revising the summary judgment pleadings, only a few hours of which were specifically identified as working on the motion to exclude the testimony of Dr. Gartrell. Otherwise, the time entries for each attorney are so vague that it is impossible to tell which motion for summary judgment, supporting affidavits, or separate motion to exclude testimony of Dr. Gartrell are actually included in the time entries. The duplicative and excessive billing of summary judgment related tasks are set forth on the spreadsheet attached hereto as Exhibit “G.”

Lender chose to file two summary judgment motions – one on its counterclaims and one on Blue Hill’s claims. Lender was not successful on either motion. Moreover, Lender filed these motions despite knowing that numerous issues of fact were in dispute with respect to Blue Hill’s claims. Thus, the fate of the summary judgment motions was preordained. In fact, Blue Hills did not file for summary judgment on its own claims so as not to waste the time and money on a motion that could not possibly succeed given the factual disputes. Further, Lender filed a motion to strike Blue Hills’ expert, Dr. Kenneth Gartrell, together with the summary judgment pleadings. Such a filing was untimely and unnecessary. Accordingly, Blue Hills should not be penalized for Lender’s counsel’s unnecessary and unsuccessful motions. Success is a factor that must be considered when fixing the fees awarded pursuant to a contractual provision. *Accusoft*

at 237 F.3d at 61. Notwithstanding the ultimate result at trial, spending over \$547,000 on unsuccessful summary judgment motions is undisputedly excessive. In light of, *inter alia*, the results obtained, the amount should be reduced by at least 50%.

6. Pre-Trial Conference and Trial July 2006 - October 2006

The pre-trial conference in this matter was held on July 18, 2006. Lender's motions for summary judgment on all claims were denied on August 30, 2006. Shortly thereafter, on September 13, 2006. Trial proceeded for 8 days of testimony and 1 day for closing arguments. Each trial date commenced at either 9:00 a.m. or 9:30 a.m. and concluded at 1:00 p.m. each day, with the exception of two afternoon hearings. The trials days were the following: September 13, 14, 15, and 29 and October 4, 5, 11, 12 and 13. According to Tab E of the Falby Affidavit, the total amount of fees billed for September 2006 was \$313,650.25, with an additional \$138,403.25 through October 13, 2006, comprising a total of \$452,053.50 in attorneys' fees for trial related tasks alone. Such amount much be reduced significantly to reflect what would be a fair and reasonable amount of attorneys' fees for the two months for such tasks.

"In general, 'the time for two or three lawyers in a courtroom or conference, when one would do, may obviously be discounted.'" *Dixon v. International Brotherhood of Police Officers*, 434 F. Supp.2d 73, 82 (D. Mass. 2006), citing *Lipsett v. Blanco*, 975 F.2d 934, 938 (1st Cir. 1992). The Court in *Dixon* deducted time for, *inter alia*, "significant hours billed under the general headings 'material facts' and 'trial prep,'" time spent by a paralegal that was also billed by two attorneys, billing entries by persons not identified, time spent for two attorneys to wait in court to receive a jury verdict. *Dixon*, 434 F. Supp. at 83.

In calculating a fee award, passive observation at trial is not a reasonable use of attorney time. *Grendel's Den, Inc. v. Larkin*, 749 F.2d 945, 953-954 (1st Cir. 1984) (considering whether

counsel addressed the court in deciding to reduce counsel fees.) For each of the 9 days of trial, Lender had 3 attorneys and 1-2 paralegals present: Attorneys Falby, Barnett, and Feit and paralegals McNabb or Yavin. In addition, time for “project assistants” was also billed. Based on their stated hourly rates, the presence of the three attorneys constituted an hourly “burn rate” of \$1260 for each day of trial, excluding the enormous amount of time billed by paralegals and assistants. While Attorney Falby was the lead trial counsel, Attorney Barnett’s role was largely limited to examination of three witnesses on the 8th day of trial, lasting for approximately one hour total. Attorney Feit did not examine any witnesses or argue any motions on the trial days. As best as can be determined, the role of McNabb and other paralegals during the trial appears to have been the packing and unpacking of boxes. While the Court in *Dixon* concluded that that it may be reasonable and necessary for the lead trial attorney to confer with the second chairing attorney throughout the trial given the complex nature of the case, the Court deducted the time that the second chair spent waiting for the jury verdict. *Dixon*, 434 F.Supp 2d 73, 82-83. Moreover, the presence of *three* trial attorneys plus, 1-2 paralegals, is not only completely unnecessary and duplicative but, as is evidenced by the bills submitted by Lender’s counsel, ridiculously expensive. For example, the time spent by attorneys Falby, Barnett, Feit and paralegal McNabb for the first day of trial is described below:

Falby:	“Trial; trial preparation.”	15 hours
Barnett:	“Trial and trial preparation”	11.2 hours
Feit:	“Attend and assist at trial; research, draft and file supplemental memorandum in support of motion to exclude tax loss evidence.”	11.5 hours
McNabb	“Prepare materials in courtroom for trial; attend and take notes of trial; prepare exhibits, laptop and indices for trial; prepare pleadings and cases for motion hearing.”	14 hours

The total amount billed for the first day of trial alone was \$20,545.00. Notwithstanding that each entry is “block billed” in increments of 11.2 - 15 hours, the hours spent in court on this trial day were from 9:30 a.m. to 1:00 p.m., a mere 3.5 hours. It is not at all apparent from the vague block billed time entries why 4-5 persons were necessary on each 3.5 hour “day.” Nonetheless, each attorney and paralegal “block billed” an excessive amount of hours on those days.

Further, the work of paralegals and law clerks are subject to reduction if they are vague or duplicative of attorneys’ work. *Dixon*, 434 F.Supp.2d 73, 83 (“general headings of ‘material facts and trial prep’” were susceptible of reduction). If two attorneys are present at trial, the hours of a law student attending trial will be reduced because that time is seen as duplicative. *Id.* Attached as Exhibit “H” is a spreadsheet for each attorney and paralegal’s hours on each of the 9 half days of trial. As illustrated in Exhibit “H,” a total of 318.85 hours and \$113,688.25 was spent on just the 9 half-days of trial. The time spent by Attorney Feit and by the paralegals should be eliminated as duplicative and excessive, especially as the billing rates for Attorneys Falby, Barnett and Feit are within the highest rates charged by any firm in Boston.

D. Lender’s Time Records Contain Numerous Clerical and Administrative Tasks that Should be Classified as Overhead and, Accordingly, are not Recoverable

As set forth in Tab A to the Falby Affidavit, Lender’s bills reflect 729.6 hours of paralegal time and 340 hours of “project assistant” time, the vast majority of which constitute duplicative or clerical tasks. Time spent by law clerks or paralegals that can be considered “administrative” should be eliminated as overhead. *Guckenberger*, 8 F.Supp.2d at 102 (citing *Jacobs*, 825 F.2d at 563). When an attorney or paralegal performs tasks that a secretary can perform, those hours should be omitted from the total fees awarded. *Parker v. Town of Swansea*, 310 F.Supp.2d 376, 397 (D.Mass.2004) (reducing paralegal hours that could have been

done by a secretary). “[A] court must not permit an attorney to recover ‘his standard hourly rate . . . for performing tasks appropriate to either a less experienced lawyer or a secretary or paralegal.’” *Mogilevsky v. Bally Total Fitness Corporation*, 311 F. Supp. 2d 212, 217-18 (D. Mass. 2004). Work of administrative staff, including work performed by law clerks which is purely administrative in nature, should be considered as part of overhead in calculating award of attorney fees to plaintiffs. *Guckenberger v. Boston University*, 8 F.Supp.2d 91 (D.Mass.,1998). Attached as Exhibit “I” is a spreadsheet detailing the improper overhead and clerical charges in the amount of \$37,275.00.

As set forth on Exhibit “I,” each entry is for tasks that are obviously clerical, such as organizing files, scanning documents, creating binders and data conversion. Further, many tasks are data processing related and completed by informational technology staff. Specifically, Lender’s counsel billed for setting up databases, providing quality assurance (“QA” on bills), and uploading optical character reader (“OCR”) data. In some instances, a paralegal or project assistant billed time for scanning, copying or labeling while a vendor then charged for the same tasks which appear in Lender’s requested disbursements. Lender’s counsel also billed 32.1 hours in summer associate time at a rate of \$185.00 per hour, a total of \$5,938.50, which should be excluded. In addition, the work completed by three “legal practices technologies coordinators” – 35 hours at \$130-\$140 per hour totalling approximately \$4,800.00 – should be excluded as overhead. Further, Lender billed time charged by its librarian – 9.4 hours at a rate of \$230 per hour totalling approximately \$2,000.00 – which should be excluded as overhead. The time spent by the summer associates, technology staff and librarian is also set forth on Tab A to the Falby Affidavit.

E. Defendants' Bills Contain Numerous Travel Charges, Meal Charges and Other Expenses that are Not Properly Recoverable

Travel time should not be billed at an attorney's hourly rate for professional services. *Massachusetts Dept. of Public Health v. School Committee of Tewksbury*, 841 F.Supp. 449, *460 (D.Mass.1993) (citing *Furtado v. Bishop*, 635 F.2d 915, 922 (1st Cir. 1980); see also *Parker v. Town of Swansea*, 310 F.Supp.2d 376, 391 (D.Mass.,2004) (holding that defendant should not have to pay for plaintiff's choice to obtain counsel from outside the area...suit was in Boston and counsel was from New London, Connecticut). Neither commuting time nor meals should be compensable. *In re. Bank of New England*, 134 B.R. 450, 457-58 (Bank. D. Mass. 1991).

According to Tab F of the Falby Affidavit, Lender's counsel billed \$9,010.45 for Lexis/Westlaw research. As the attorneys also billed for the time spent undertaking those tasks, the computer research charges should be eliminated. In addition, \$434.01 was billed for "computer printing," \$162.67 for secretarial overtime and office supplies, and \$3,245.72 for meals and parking. Such amounts should be eliminated as overhead. Lender's counsel charged \$11,001.36 for travel, airfare, hotels and car rental fees. While Blue Hills acknowledges that in March 2006, the parties travelled to California for 3 depositions and to South Carolina for one deposition, a significant portion of the charges are for taxis and meals unrelated to any time entries for court appearances or depositions. As set forth in Exhibit "I", approximately \$11,867.00 should be deducted from the disbursements as unreasonable costs and overhead.

SUMMARY

The following constitute fees and costs that should not be recoverable:

- a. Time billed for administrative or clerical tasks in the amount of \$37,275.00, as set forth on Exhibit "I";

- b. Travel, meals, Westlaw/Lexis charges and other overhead charges in the amount of \$20,877.45, as set forth on Exhibit “I”;
- c. Time billed by summer associates in the amount of \$5,938.50;
- d. Time billed by “legal practices technologies coordinators” in the amount of \$4,800.00; and
- e. Time billed by law librarians in the amount of \$2,000.00.

Additionally, “block billed” time or excessive/duplicative charges in the amount of \$993,223.25, as set forth on Exhibit “C,” should be eliminated or, at a minimum, significantly reduced.

WHEREFORE, Blue Hills respectfully requests that as to the attorneys’ fees and costs sought in the Petition this Court enter an Order:

- 1. Deducting fees for administrative or clerical tasks in the amount of \$37,275.00;
- 2. Deducting unreasonable overhead charges from the requested disbursements in the amount of \$20,877.45;
- 3. Deducting fees charged by summer associates, law librarians and “legal practices technologies coordinators” in the amount of \$12,738.50;
- 4. Deducting or significantly reducing duplicative and “block billed” time in the amount of \$999,223.25; and
- 5. Providing such other and further relief as is necessary and just.

REQUEST FOR HEARING

Upon request, a party opposing a request for attorneys’ fees is entitled to a hearing on the reasonableness of the attorneys’ fees sought. *J.P. Construction Co., Inc. v. Stateside Builders,*

Inc., 45 Mass. App. Ct. 920 (1998). Blue Hills hereby requests an opportunity for oral argument relative to the Petition.

BLUE HILLS OFFICE PARK LLC, WILLIAM
LANGELIER AND GERALD FINEBERG,
By their attorneys,

/s/ Meredith A. Swisher

Peter B. McGlynn, Esquire (BBO No. 333660)

Meredith A. Swisher, Esquire (BBO No. 646866)

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Dated: November 8, 2006

408981 v1/38279/1

EXHIBIT A

BLOCK BILLING - BY TIMEKEEPER					
DATE	TIMEKEEPER	DESCRIPTION	TIME	AMOUNT BILLED	
09/12/06	Barnett	Trial preparation	17.20	\$6,880.00	
10/11/06	Barnett	Trial and trial preparation, including witness outlines, attention to exhibits, prepare for argument on Rule 52(c) motion; prepare witnesses.	15.50	\$6,200.00	
10/03/06	Barnett	Trial and trial preparation, including attention to exhibits, preparation for witness testimony	14.70	\$5,880.00	
09/11/06	Barnett	Trial preparation, including preparing, negotiating exhibits with opposing counsel, witness outlines and other preparation	14.70	\$5,880.00	
05/16/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same; revise briefs, legal and fact research re Same, draft LNR and Wells Fargo affidavits, telephone conference with Wells Fargo, LNR re Same	14.30	\$5,720.00	
04/05/05	Barnett	Draft answer and responsive pleadings; review Master Servicing documents in preparation for visit to Wells Fargo; meeting at Wells Fargo (redacted) review Notepads from Strategy system; non-airplane travel time.	14.10	\$4,723.50	
09/28/06	Barnett	Trial preparation, including evidence issues and legal research re Same; draft motion to quash subpoenas; Polcari witness preparation; telephone conference with C. Browne re Testimony, etc.	13.90	\$5,560.00	
05/17/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same, revise briefs, legal and fact research re Same, draft Barnett affidavit, supervise document preparation, electronic filing preparation.	13.60	\$5,440.00	
05/17/06	Barnett	Summary judgment preparation, including revise statement of facts, research re same, revise briefs, legal and fact research re same, draft Barnett affidavit, supervise document preparation, electronic filing preparation	13.60	\$5,440.00	
11/03/05	Barnett	Draft and revise written discovery responses; review documents; manage document production; conferences with T. Feit, R. Tucker; B. Falby re. discovery responses, case alignment; e-mail memoranda to clients re. answers to interrogatories; telephone confer	13.30	\$4,455.50	
05/15/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same, revise briefs, legal and fact research re Same, draft LNR and Wells Fargo affidavits, telephone conferences with Wells Fargo, LNR re Same.	13.00	\$5,200.00	
09/20/06	Barnett	Trial preparation, including Lloyd deposition designations, Warshaw direct outline, Rosen direct outline, conference with R. Wolpert, J. Polcari re Settlement, mediation strategy.	12.80	\$5,120.00	
05/14/06	Barnett	Revise summary judgment brief; legal research re Same; review, revise statement of facts	12.70	\$5,080.00	
10/10/06	Barnett	Trial preparation, including witness outlines, attention to exhibits, subpoenas, revised witness list, prepare for Andelman testimony, deposition designations, witness logistics	12.50	\$5,000.00	
06/07/06	Barnett	Draft reply briefs, affidavit of counsel; legal and fact research re Same; review Blue Hills' response to our statement of facts	12.40	\$4,960.00	
09/07/06	Barnett	Review proposed agreed exhibits for completeness, materials to exclude; review, revise proposed stipulated facts; conference with B. Falby, T. Feit re Mediation, trial strategy; fact research.	12.30	\$4,920.00	
09/14/06	Barnett	Trial and trial preparation	12.30	\$4,920.00	
11/01/05	Barnett	Draft and revise responses to written discovery; telephone conferences with J. Warshaw, J. Polcari, R. Rosen re. matter, answers to interrogatories; review documents; e-mail memoranda to client re. CSFB e-mails.	12.10	\$2,843.50	
05/11/06	Barnett	Revise summary judgment brief; legal research re Same; conferences with B. Falby, T. Feit re Same; telephone calls to Wells Fargo, LNR re Same; produce supplemental Wells Fargo telephone search results to opposing counsel; letter to and telephone confe	12.10	\$4,840.00	
03/16/06	Barnett	Prepare for L. Needle deposition; telephone conference with B. Falby re. Same; research and assistance with preparation for J. Rubino deposition; telephone conferences with M. Swisher re. Deposition matters; numerous conferences with T. Feit, L. Core, N.	12.00	\$4,800.00	
05/04/06	Barnett	Review, revise, add to summary judgment statement of facts; fact research re same.	11.80	\$4,720.00	
09/25/06	Barnett	Trial preparation, including conference with J. Polcari re Testimony, prepare chalk re Deficiency, telephone conference with D. Erwin, C. Mallegni re Testimony, telephone conferences with M. Swisher re Exhibits, etc., revisions to witness outlines	11.50	\$4,600.00	
05/29/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise brief in opposition to Blue Hill's motion for summary judgment; legal research re Same; conferences with B. Falby re Same.	11.40	\$4,560.00	

EXHIBIT A

10/09/06	Barnett	Trial preparation, including deposition designations for Lloyd, Rubino; Mallegni witness outline; conference with B. Falby re Mallegni testimony; attention to exhibits; letter to opposing counsel re Trial procedural issues; attention to witness schedule	11.40	\$4,560.00		
05/30/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise brief in opposition to Blue Hills' motion for summary judgment; legal research re Same; draft affidavit.	11.30	\$4,520.00		
09/05/06	Barnett	Trial preparation including deposition abstracts, witness outlines, review pleadings and documents	11.20	\$4,480.00		
09/13/06	Barnett	Trial and trial preparation	11.20	\$4,480.00		
04/27/06	Barnett	Prepare for Clarke deposition; draft, revise outline; fact research; conferences with B. Falby re. Same; review Wells Fargo telephone records; telephone conference with B. Lloyd re same; prepare records for production; draft letter to M. Swisher re. Same;	11.10	\$4,440.00		
09/21/06	Barnett	Blue Hills trial preparation, including direct outlines, witness preparation conferences with J. Warshaw, R. Rosen, legal and fact research re Blue Hills' trial subpoenas	11.10	\$4,440.00		
10/12/06	Barnett	Trial and trial preparation, including witness preparation, negotiation of stipulation, legal research for closing arguments, etc	11.00	\$4,400.00		
05/10/06	Barnett	Revise summary judgment brief; legal research re Same; conferences with B. Falby, T. Feit, L. Core re Same	10.70	\$4,280.00		
04/23/06	Barnett	Prepare for Andelman deposition; conference with B. Falby re. Same; conference with C. Poutasse re same	10.40	\$4,160.00		
06/11/06	Barnett	Draft response to Blue Hills second fact statement; revise summary judgment reply briefs; draft Third Barnett Affidavit; compile evidence for reply filings	10.20	\$4,080.00		
04/24/06	Barnett	Prepare for, take, follow up to Andelman deposition	10.20	\$4,080.00		
03/17/06	Barnett	Prepare for, take, follow-up to deposition of L. Needle; telephone conference with B. Falby re. Depositions of Needle, Rubino; conference with T. Feit re. Fineberg, Goldberg depositions, other discovery matters	10.10	\$4,040.00		
09/06/06	Barnett	Trial preparation, including deposition abstracts and witness outlines; review pleadings and documents; research re Blue Hills notice of garage plan revisions; preparation of proposed agreed exhibit list.	10.10	\$4,040.00		
04/26/06	Barnett	Prepare for expert deposition of Clarke; review his qualifications, experience, publications; prepare outline; fact research	9.90	\$3,960.00		
10/26/06	Barnett	Draft responses to written discovery; review documents and prepare for production, including privilege review; telephone conference with J. Arakaki/Wells Fargo; e-mail memorandum to M. Carballo re. discovery; e-mail memorandum to J. Huffman re. discovery	9.90	\$3,316.50		
05/24/06	Barnett	Analyze and draft response to Blue Hills' Statement of Facts; prepare opposition to Blue Hill's motion for summary judgment.	9.80	\$3,920.00		
09/15/06	Barnett	Trial and trial preparation	9.70	\$3,880.00		
10/08/06	Barnett	Trial preparation, including witness scheduling and strategy, email correspondence with D. Womack, prepare outlines for testimony of C. Brown, D. Erwin, C. Mallegni, prepare deposition designations for B. Lloyd, J. Rubino	9.50	\$3,800.00		
10/27/05	Barnett	Draft responses to written discovery; review documents; telephone conference with A. Pagaduan re. electronic discovery issues; telephone calls and e-mail memorandum to J. Huffman, J. Schampier re. discovery issues; telephone conference with J. Arakiki re.	9.30	\$3,115.50		
05/09/06	Barnett	Telephone conference with C. Brown	9.30	\$3,720.00		
04/07/05	Barnett	Numerous meetings and interviews at Wells Fargo	9.30	\$3,115.50		
10/24/05	Barnett	Draft responses to written discovery; fact research and document review re. same; telephone conferences and e-mail correspondence with J. Polcari, J. Berry re. e-mail production.	9.10	\$3,048.50		
11/02/05	Barnett	Review documents; revise responses to written discovery; manage document production; e-mail memoranda re. CSFB e-mails.	9.10	\$3,048.50		
06/12/06	Barnett	Review, revise response to Blue Hills second fact statement, summary judgment reply briefs, Third Barnett Affidavit; compile evidence for reply filings.	9.10	\$3,640.00		
05/31/06	Barnett	Revise, edit, cite check response to statement of material facts; review, edit brief in opposition to Blue Hills motion for summary judgment; supervise preparation for filing; revise affidavit of counsel	9.10	\$3,640.00		
09/26/06	Barnett	Cohn deposition preparation; telephone conferences with Wells Fargo witnesses re Testimony; witness outlines; research re Evidentiary issues.	9.00	\$3,600.00		
10/05/06	Barnett	Trial preparation, including witness outlines, communications with witnesses, attention to trial strategy, witness sequencing, conferences with b. Falby re Same, attention to exhibits, etc.	8.90	\$3,560.00		
02/10/06	Barnett	Prepare for Donovan deposition	8.60	\$3,440.00		
04/14/06	Barnett	Work with experts re rebuttal reports; including numerous extended conference calls, fact research	8.40	\$3,360.00		
09/22/06	Barnett	Cohn deposition preparation; trial preparation, including legal and fact research re Subpoena issues, attention to proposed exhibits and stipulation with opposing counsel, witness outlines, etc.	8.40	\$3,360.00		

EXHIBIT A

04/06/05	Barnett	Numerous meetings and interviews at Wells Fargo	8.30	\$2,780.50		
05/08/06	Barnett	Revise summary judgment statement of facts; fact research re Same; prepare for Greenspan expert deposition; review FTI engagement letter; conferences re Summary judgment strategy, legal issues with B. Falby, T. Feit, L. Core	8.20	\$3,280.00		
05/25/06	Barnett	Review Rubino deposition testimony; analyze and draft response to Blue Hills' motion for summary judgment.	8.20	\$3,280.00		
10/04/06	Barnett	Trial and trial preparation; communications with witnesses; conferences re trial strategy.	8.20	\$3,280.00		
09/29/06	Barnett	Trial preparation and trial session 4; telephone conferences and email memoranda to witnesses re Testimony, scheduling	8.20	\$3,280.00		
09/08/06	Barnett	Trial preparation, including witness outlines, revise list of proposed agreed trial exhibits, conference with B. Falby re Same; draft letter to M. Swisher re Trial logistics, telephone conferences with witness re Trial schedule	8.10	\$3,240.00		
06/09/06	Barnett	Revise summary judgment reply briefs; legal and fact research re Same; revise Wells Fargo affidavit; telephone conferences with J. Arakaki, J. Martin re Same; draft response to Blue Hills second statement of facts.	7.80	\$3,120.00		
06/09/06	Barnett	Revise summary judgment reply briefs; legal and fact research re same; revise Wells Fargo affidavit; telephone conferences with J. Arakaki, J. Martin re same; draft response to Blue Hills second statement of facts	7.80	\$3,120.00		
10/02/06	Barnett	Trial preparation; attention to exhibits, hearsay research, conferences with M. Swisher re Same; witness testimony preparation	7.60	\$3,040.00		
04/12/06	Barnett	Fact research for expert rebuttal reports; review deposition transcripts; work with experts on reports; conference with /b. Falby re same; telephone conference with B. Falby re same; telephone conference with M. Swisher re discovery issues; draft letter t	7.60	\$3,040.00		
04/20/06	Barnett	Expert deposition preparation; fact research re same; meeting with E. Stotz; telephone conferences with C. Poutasse; review Wells Fargo documents; prepare same for production; telephone conferences REDACTED telephone conference with J. Polcari re depositi	7.50	\$3,000.00		
09/03/06	Barnett	Trial preparation, including deposition abstracts, witness outlines	7.50	\$3,000.00		
07/18/06	Barnett	Draft pre-Trial memorandum; attend final pre-Trial conference	7.30	\$2,920.00		
10/25/06	Barnett	Draft responses to written discovery; coordinate document production; review client documents; conference re. discovery issues with B. Falby, T. Feit, N. Yavin; memorandum to B. Falby re. Depositor, assignments of mortgage.	7.20	\$2,412.00		
05/07/06	Barnett	Prepare for Greenspan expert deposition; prepare summary judgment papers; draft affidavits.	7.20	\$2,880.00		
05/12/06	Barnett	Revise summary judgment brief; legal research re Same	7.20	\$2,880.00		
05/23/06	Barnett	Analyze Blue Hills' statement of facts; telephone call to M Swisher re Missing exhibits; draft response thereto; fact research re Same	7.20	\$2,880.00		
03/16/05	Barnett	Prepare, revise removal papers, letters to courts, assemble appendices etc.	7.00	\$2,345.00		
06/08/06	Barnett	Draft reply brief re Counterclaim; draft Wells Fargo affidavit re Reserves; legal and fact research re Same	6.90	\$2,760.00		
04/19/06	Barnett	Prepare for expert depositions; telephone conferences with J. Polcari, R. Rosen re depositions; review Wells Fargo documents; telephone conference REDACTED conferences with B. Falby re discovery issues; analyze counterclaim damage; attention to deposition	6.90	\$2,760.00		
08/31/06	Barnett	Trial preparation, including deposition abstracts, witness outlines, research re Workstation documents, email memorandum to D. Erwin re Same	6.80	\$2,720.00		
05/01/06	Barnett	Prepare for P. Riley deposition; draft letter re error in riley report; strategy meeting re summary judgment; review Andelman transcript	6.70	\$2,680.00		
05/19/06	Barnett	Review, revise statement of facts; submit corrected statement of facts to court, opposing counsel; supervise compilation of judge's personal copy of summary judgment pleadings	6.70	\$2,680.00		
05/19/06	Barnett	Review, revise statement of facts to court, opposing counsel; supervise compilation of judges personal copy of summary judgment pleadings	6.70	\$2,680.00		
03/10/05	Barnett	Review borrower formation documents; legal research re removal; conference with R. Tucker, T. Feit re removal, answer strategy.	6.60	\$2,211.00		
10/31/05	Barnett	Draft written discovery responses; telephone conferences and e-mail memoranda to J. Polcari, J. Warshaw, R. Rosen; review documents; telephone conference with J. Schampier re. CSFB documents.	6.40	\$2,144.00		
04/04/06	Barnett	Telephone conference with rebuttal experts; review pooling and servicing agreement; fact research re loan statements; prepare for Fineberg deposition	6.20	\$2,480.00		
09/04/06	Barnett	Trial preparation, including deposition abstracts, witness outlines, research re evidentiary issues.	6.20	\$2,480.00		
05/02/06	Barnett	Prepare for, defend, follow up to Riley deposition; prepare for Greenspan deposition	6.10	\$2,440.00		
05/26/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise opposition brief.	5.90	\$2,360.00		

EXHIBIT A

04/07/06	Barnett	Preparation for Goldberg deposition; research re fact issues re Sturbridge experience; conference with B. Falby re same; telephone conference with R. Tucker, C. Brown re same; review documents from Wells Fargo; letters to witnesses re deposition transcript	5.80	\$2,320.00		
11/11/05	Barnett	Revise written discovery responses; telephone conference with J. Polcari re. Answers to Interrogatories; telephone conferences with M. Swisher re. motion to dismiss and to amend.	5.60	\$1,876.00		
03/20/06	Barnett	Conference with B. Falby re. Damages issues; conference with T. Feit re. Motion to amend counterclaim; telephone calls to M. Carballo, C. Mallegni, M. Nam re ratings agency documents; letter to M. Swisher responding to numerous letters re discovery issues;	5.60	\$2,240.00		
07/13/06	Barnett	Prepare for, attend summary judgment hearing	5.60	\$2,240.00		
10/18/05	Barnett	Review client documents; draft chronology; draft responses to discovery requests; telephone conference with M. O'Neill/WF re. discovery.	5.50	\$1,842.50		
03/13/06	Barnett	Team meetings re. Discovery, summary judgment, expert strategy; research re. Plaintiff's damages claims; conference with M. Sheehan re. Tax losses; conference with B. Falby re. Same	5.40	\$2,160.00		
07/17/06	Barnett	Draft pretrial memorandum	5.40	\$2,160.00		
08/24/06	Barnett	Conferences with B. Falby, S. McNabb re trial preparation, summary judgment ruling; telephone conference with M. Carballo, J. Polcari re same; prepare witness outlines; telephone conferences with witnesses; telephone conference with D. Erwin re. workstat	5.20	\$2,080.00		
03/09/05	Barnett	Legal research re removability to federal court.	4.70	\$1,574.50		
09/13/05	Barnett	Review, revise draft written discovery.	4.70	\$1,574.50		
11/18/05	Barnett	Review discovery responses served by plaintiffs; draft subpoenas to third parties; review documents for production; conference with B. Falby re. mediation and discovery strategy.	4.70	\$1,574.50		
10/20/05	Barnett	Research, draft written discovery.	4.50	\$1,507.50		
11/10/05	Barnett	Telephone conferences with M. Swisher, clients re. substitution of parties; review and revise draft pleadings re. motion to dismiss and amend; draft Trustee's Answers to Interrogatories and Responses to Request for Document; revise other discovery respons	4.50	\$1,507.50		
05/05/06	Barnett	Revise summary judgment statement of facts; Greenspan expert deposition preparation; gather, review, produce documents for Greenspan deposition; draft email memorandum re summary judgment affidavits; telephone calls with E. Stotz, C. Mallegni, C. Brown, J	4.50	\$1,800.00		
05/13/06	Barnett	Revise summary judgment brief; legal research re same	4.50	\$1,800.00		
02/13/06	Barnett	Prepare for Donovan deposition	4.10	\$1,640.00		
		Subtotal Blockbilling for Timekeeper Barnett	896.70	\$347,336.50		
10/11/06	Falby	Trial and trial preparation	16.00	\$9,040.00		
09/13/06	Falby	Trial, trial preparation	15.00	\$8,475.00		
09/10/06	Falby	Trial preparation; attention to cross-examination outlines, opening, exhibits, stipulated facts, findings	14.00	\$7,910.00		
09/14/06	Falby	Trial	14.00	\$7,910.00		
09/27/06	Falby	Prepare A. Cohn cross-examination; prepare J. Polcari direct; conferences with T. Feit regarding motions; conferences with B. Barnett regarding exhibits	14.00	\$7,910.00		
05/15/06	Falby	Revise summary judgment papers; email to client	12.00	\$6,780.00		
05/16/06	Falby	Revise briefs, statement of facts; draft motions; telephone conference with client	12.00	\$6,780.00		
05/17/06	Falby	Revise summary judgment briefs, motions, facts; finalize motion to exclude and memorandum in support	12.00	\$6,780.00		
09/12/06	Falby	Trial preparation	12.00	\$6,780.00		
09/28/06	Falby	Witness preparation with J. Polcari; prepare cross-examinations	12.00	\$6,780.00		
10/09/06	Falby	Trial preparation; edit memorandum regarding implied covenant; edit directed finding memorandum	11.50	\$6,497.50		
05/08/06	Falby	Conference with R. Greenspan; defend R. Greenspan deposition; conferences with B. Barnett, T. Feit, L. Core regarding summary judgment	11.00	\$6,215.00		
09/26/06	Falby	Depose A. Cohn; prepare A. Cohn cross; telephone call from M. Carballo	11.00	\$6,215.00		
05/08/06	Falby	Conference with R. Greenspan; defend R. Greenspan deposition; conferences with B. Barnett, t. Feit, L. Core regarding summary judgment	11.00	\$6,215.00		
09/07/06	Falby	Attend mediation; conferences with B. Barnett and T. Feit regarding trial tasks	10.50	\$5,932.50		
10/03/06	Falby	Trial; trial preparation telephone conference	10.45	\$5,904.25		
10/03/06	Falby	Trial; Trial preparation; telephone conference with M. Carballo	10.45	\$5,904.25		
06/08/06	Falby	Revise reply briefs; conferences with B. Barnett regarding same; conferences with L. Core and J. Morin regarding legal research	10.00	\$5,650.00		
09/06/06	Falby	Prepare cross-examination (Langelier); other trial preparation; telephone conference with client regarding mediation	10.00	\$5,650.00		

EXHIBIT A

09/11/06	Falby	Prepare for trial; telephone conference with M. Carballo regarding settlement; conferences with T. Feit, B. Barnett; attention to motions in limine, proposed findings, opening, cross-examinations; telephone conference with J. Polcari regarding trial.	10.00	\$5,650.00		
04/26/06	Falby	Prepare for K. Gartrell deposition; depose K. Gartrell; prepare for R. Clarke deposition; conference with B. Barnett regarding same	9.00	\$5,085.00		
05/13/06	Falby	Revise summary judgment papers	9.00	\$5,085.00		
07/12/06	Falby	Prepare for summary judgment hearing	9.00	\$5,085.00		
09/25/06	Falby	Conference with J. Polcari regarding testimony; prepare for A. Cohn deposition; review J. Polcari transcript in preparation for testimony.	9.00	\$5,085.00		
10/08/06	Falby	Trial preparation	9.00	\$5,085.00		
04/07/06	Falby	Prepare for deposition; depose K. Goldberg; telephone conference with M. Carballo; leave message with E. Stotz; review cases regarding reliance on counsel defense	8.50	\$4,802.50		
04/20/06	Falby	Conference with E. Stotz to prepare for deposition; review E. Stotz documents for production; prepare for K. Gartrell deposition; review E. Stotz modification; telephone call from E. Stotz regarding same	8.20	\$4,633.00		
03/16/06	Falby	Prepare J. Rubino for deposition in South Carolina; edit motion to quash subpoena regarding attorneys' fees documents; emails to T. Feit regarding same.	8.00	\$4,520.00		
03/17/06	Falby	Defend J. Rubino deposition; telephone conference with B. Barnett regarding L. Needle deposition	8.00	\$4,520.00		
04/04/06	Falby	Telephone conferences with potential experts; conference with B. Barnett regarding same; telephone conference with C. Poutasse regarding expert rebuttal; prepare for G. Fineberg deposition	8.00	\$4,520.00		
04/05/06	Falby	Depose G. Fineberg; conference with B. Barnett regarding expert rebuttal; conference with T. Feit regarding legal research	8.00	\$4,520.00		
05/14/06	Falby	Revise summary judgment papers	8.00	\$4,520.00		
05/30/06	Falby	Revise summary judgment opposition	8.00	\$4,520.00		
09/05/06	Falby	Conference with B. Barnett regarding direct examinations; prepare cross-examinations (Goldberg); conference with T. Feit regarding trial tasks.	8.00	\$4,160.00		
08/31/06	Falby	Prepare cross-examination (Fineberg); review P. McGlynn letter regarding continuance; telephone call to B. Smith; draft e-mail to clients regarding trial schedule; review letter to R. Kass regarding mediation materials; review LLC agreement and Delaware L	8.00	\$4,520.00		
09/15/06	Falby	Trial; telephone conference with M. Carballo and T. Nealon	8.00	\$4,520.00		
10/10/06	Falby	Revise trial memoranda and cross-examinations; conferences with T. Feit, B. Barnett regarding trial issues; telephone conference with M. Carballo	8.00	\$4,520.00		
04/27/06	Falby	PR for Clarke deposition; conference with B. Barnett and T. Feit	7.80	\$4,407.00		
05/01/06	Falby	Review R. Clarke transcript; conference with P. Riley in preparation for deposition; conference with T. Feit and B. Barnett regarding depositions and summary judgment.	7.70	\$4,350.50		
03/23/06	Falby	Review measure of damages; attention to documents for C. Poutasse; telephone conference with C. Poutasse; draft and file emergency motion regarding G. Fineberg deposition; revise and file motion to impound motion to amend; emails to P. McGlynn regarding s	7.50	\$4,237.50		
09/21/06	Falby	Telephone conference with M. Carballo; trial preparation; prepare for A. Cohn deposition	7.50	\$4,237.50		
04/23/06	Falby	Prepare for expert depositions	7.00	\$3,955.00		
05/04/06	Falby	Draft motion to exclude K. Gartrell; conferences with B. Barnett and T. Feit regarding summary judgment	7.00	\$3,955.00		
10/02/06	Falby	Trial preparation	7.00	\$3,955.00		
10/04/06	Falby	Trial preparation; trial; teleconference w/ M. Carballo; conference with team	7.00	\$3,955.00		
07/13/06	Falby	Prepare for summary judgment hearing; argue summary judgment motion	7.00	\$3,955.00		
04/14/06	Falby	Multiple telephone conferences with experts; review and comment on rebuttal expert reports; telephone conferences with M. Swisher; email regarding expert deposition schedule	6.80	\$3,842.00		
04/03/06	Falby	Telephone conferences, emails, phone calls to interview and select expert rebuttal witnesses; telephone conference with E. Stotz regarding Gartrell report	6.50	\$3,672.50		
05/07/06	Falby	Prepare to meet wit R. Greenspan; conference with R. Greenspan to prepare for deposition.	6.50	\$3,672.50		
05/07/06	Falby	Prepare to meet with R. Greenspan; conference with R. Greenspan to prepare for deposition	6.50	\$3,672.50		
03/15/06	Falby	Telephone conference with E. Stotz regarding expert appraisal work; telephone conference with C. Poutasse regarding expert damages and accounting work; telephone conference with J. Rubino to prepare for deposition; draft response to P. McGlynn letter; att	6.00	\$3,390.00		
05/03/06	Falby	Conference with B. Barnett and T. Feit regarding summary judgment briefing; draft motion to exclude K. Gartrell testimony; attention to R. Greenspan deposition.	6.00	\$3,390.00		
05/29/06	Falby	Edit summary judgment opposition; telephone conferences with T. Feit; conference with B. Barnett; edit factual response.	6.00	\$3,390.00		
05/31/06	Falby	Edit, finalize summary judgment opposition brief	6.00	\$3,390.00		

EXHIBIT A

05/03/06	Falby	Conferences with B. Barnett and T. Feit regarding summary judgment briefing; draft motion to exclude K. Gartrell testimony; attention to R. Greenspan deposition	6.00	\$3,390.00		
08/28/06	Falby	Prepare cross-examinations; telephone conference with P. McGlynn	6.00	\$3,390.00		
07/18/06	Falby	Revisions to pre-Trial memorandum; prepare for pre-Trial; attend pre-Trial; conference with B. Barnett, T. Feit regarding same; draft email to client regarding same; review mortgage provisions regarding fee recovery.	5.25	\$2,966.25		
04/06/06	Falby	Prepare for K. Goldberg deposition; telephone conference with FTI Consulting	5.10	\$2,881.50		
05/22/06	Falby	Draft introduction to opposition brief and memorandum regarding factual and legal points to make in response; conference with B. Barnett and T. Feit regarding summary judgment opposition	5.10	\$2,881.50		
02/13/06	Falby	Prepare for Donovan deposition	4.70	\$2,655.50		
04/24/06	Falby	Prepare for K. Gartrell deposition; conferences with B. Barnett regarding D. Andelman deposition	4.50	\$2,542.50		
02/12/06	Falby	Prepare for Donovan deposition	4.00	\$2,260.00		
03/20/06	Falby	Telephone conference with P. McGlynn regarding deposition scheduling and experts; draft letter to P. McGlynn regarding same; conference with E. Stotz regarding expert disclosure; draft letter to E. Stotz; prepare for G. Fineberg deposition	4.00	\$2,260.00		
04/01/06	Falby	Review expert reports; email to B. Barnett, T. Feit, N. Yavin regarding same; internet research on experts	4.00	\$2,260.00		
04/02/06	Falby	Conference with B. Barnett, T. Feit regarding experts; email to locate industry expert; revise G. Fineberg deposition outline	4.00	\$2,260.00		
04/10/06	Falby	Draft memorandum regarding K. Goldberg testimony; telephone conference with experts; email to P. McGlynn; conference with B. Barnett regarding Wells Fargo documents; conference with T. Feit regarding draft expert report by Greenspan; review same	4.00	\$2,260.00		
05/02/06	Falby	Draft motion to exclude K. Gartrell expert testimony; review cases regarding real estate valuation; review and comment on draft statement of facts; conferences with B. Barnett and P. Riley regarding deposition; telephone conference with C. Poutasse regard	4.00	\$2,260.00		
05/28/06	Falby	Edit opposition; email to T. Feit regarding same; edit facts	4.00	\$2,260.00		
06/11/06	Falby	Revise reply briefs	4.00	\$2,260.00		
		Subtotal - Blockbilled for Timekeeper Falby	565.05	\$318,893.25		
09/12/06	Feit	Research and draft proposed findings of fact and rulings of law; draft proposed stipulated facts; telephone conversation with M. Swisher concerning proposed stipulated facts; draft letter to M. Swisher enclosing trial subpoenas; assist with preparation of	15.20	\$4,560.00		
05/16/06	Feit	Research and draft summary judgment motion	14.00	\$4,200.00		
10/09/06	Feit	Research and draft memoranda in support of motion for judgment on partial findings motion to admit handwritten notes into evidence; research and draft memorandum concerning implied covenant of good faith and fair dealing; research and draft proposed findin	11.60	\$3,480.00		
09/13/06	Feit	Attend and assist at trial; research, draft and file supplemental memorandum in support of motion to exclude tax loss evidence	11.50	\$3,450.00		
09/11/06	Feit	Research and draft proposed findings of fact and rulings of law; research and draft motion to exclude testimony of Andrew Cohn; draft and serve trial subpoenas; supervise preparation of necessary courtroom technology and equipment	11.40	\$3,420.00		
05/08/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	11.20	\$3,360.00		
10/11/06	Feit	Prepare for an attend trial; research & draft proposed findings and rulings	11.00	\$3,300.00		
09/14/06	Feit	Attend and assist at trial; research nature and extent of duties of attorney acting as escrow agent or holding client funds	10.60	\$3,180.00		
10/04/06	Feit	Prepare for and attend trial; research and draft memorandum concerning breach of the implied covenant of good faith and fair dealing	10.40	\$3,120.00		
05/01/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	10.30	\$3,090.00		
05/09/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	10.20	\$3,060.00		
11/21/05	Feit	Conference with P. McGlynn and M. Swisher concerning discovery responses; draft motion to compel discovery responses and memorandum in support thereof; draft subpoenas and confidentiality agreement covering discovery responses.	10.10	\$2,373.50		
05/03/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	9.80	\$2,940.00		
05/27/06	Feit	Research and draft opposition to summary judgment motion	9.80	\$2,940.00		
10/03/06	Feit	Research and draft cross-examination outline for proposed expert witness K. Gartrell; research and draft proposed findings and rulings	9.80	\$2,940.00		
05/02/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	9.50	\$3,800.00		

EXHIBIT A

05/25/06	Feit	Research and draft opposition to summary judgment motion	9.20	\$2,760.00		
05/17/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment.	9.10	\$2,730.00		
04/17/06	Feit	Research and draft memorandum in support of motion to exclude testimony of expert witness; research and draft memorandum in support of summary judgment motion	8.90	\$2,670.00		
05/06/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	8.30	\$2,490.00		
09/28/06	Feit	Research and draft motion for judgment upon partial findings pursuant to Fed. R. Civ. P. 52(c); research REDACTED	8.30	\$2,490.00		
05/22/06	Feit	Research and draft opposition to motion for summary judgment	8.20	\$2,460.00		
04/03/06	Feit	Research concerning REDACTED	8.20	\$2,460.00		
09/06/06	Feit	Revise and file motions in limine; draft and serve trial subpoena; research and draft proposed findings of fact and rulings of law	8.20	\$2,460.00		
05/05/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	8.10	\$2,430.00		
05/05/06	Feit	Research and draft summary judgment motion	8.10	\$2,430.00		
04/28/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.90	\$2,370.00		
09/15/06	Feit	Attend and assist at trial; research and draft deposition outline for A. Cohn.	7.80	\$2,340.00		
04/27/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.70	\$2,310.00		
09/13/05	Feit	Draft interrogatories, requests for production and requests for admissions.	7.60	\$1,786.00		
10/06/06	Feit	research and draft memorandum concerning implied covenant of good faith and fair dealing	7.60	\$2,280.00		
10/05/06	Feit	research and draft memorandum concerning implied covenant of good faith and fair dealing	7.50	\$2,250.00		
09/29/06	Feit	Prepare for and attend trial	7.40	\$2,220.00		
05/04/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.30	\$2,190.00		
03/28/06	Feit	Research and draft motion for summary judgment; research and draft amended counterclaim and ,memorandum in support of motion for leave to file amended counterclaim	7.30	\$2,190.00		
03/27/06	Feit	Research and draft amended counterclaim; research and draft motion for summary judgment; revise affidavit in support of motion to compel deposition	7.10	\$2,130.00		
09/27/06	Feit	Review deposition testimony of A. Cohn and assist with preparation of cross-examination; research REDACTED	7.10	\$2,130.00		
05/15/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment.	6.80	\$2,040.00		
05/07/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	6.70	\$2,010.00		
09/12/05	Feit	Draft interrogatories, requests for production and requests for admissions.	6.50	\$1,527.50		
09/01/06	Feit	Research and draft list of proposed stipulated trial exhibits	6.10	\$1,830.00		
04/30/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.90	\$1,770.00		
09/07/06	Feit	Research and draft proposed list of trial exhibits	5.80	\$1,740.00		
04/20/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.60	\$1,680.00		
09/03/06	Feit	Draft list of proposed stipulated exhibits; draft motions in limine concerning exclusion of evidence	5.50	\$1,650.00		
04/26/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.00	\$1,500.00		
09/09/05	Feit	Draft interrogatories, requests for production and requests for admissions.	4.90	\$1,151.50		
04/12/06	Feit	Research and draft motion for summary judgment	4.80	\$1,440.00		
10/19/05	Feit	Draft responses to interrogatories.	4.60	\$1,081.00		
08/29/06	Feit	Draft proposed stipulated facts in preparation for trial	4.60	\$1,380.00		
05/23/06	Feit	Research and draft opposition to summary judgment motion	4.50	\$1,350.00		
09/14/05	Feit	Draft interrogatories, requests for production and requests for admissions.	4.20	\$987.00		
04/25/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	4.10	\$1,230.00		
05/24/06	Feit	Research and draft opposition to summary judgment motion	4.10	\$1,230.00		
05/26/06	Feit	Research and draft opposition to summary judgment motion	4.10	\$1,230.00		
11/22/05	Feit	Draft third-party subpoenas; research and draft motion to compel and memorandum in support of motion to compel; confer with opposing counsel regarding same and regarding selection of mediator.	4.00	\$940.00		
04/24/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	4.00	\$1,200.00		
		Subtotal Blockbilled for timekeeper Feit	445.10	\$131,756.50		
09/12/06	Gould	Assist with trial preparation	11.00	\$1,045.00		
05/16/06	Gould	Prepare for summary judgment filing	11.00	\$1,045.00		
05/17/06	Gould	Prepare for summary judgment filing	8.50	\$807.50		
02/24/06	Gould	Prepare depo prep chronology binders	8.00	\$760.00		

EXHIBIT A

02/23/06	Gould	Prepare depo prep material binders for upcoming depositions	7.50	\$712.50		
02/13/06	Gould	Organize key documents in preparation for weekly depositions; bates label WF documents	6.50	\$617.50		
03/15/06	Gould	Prepare for Rubino deposition	6.00	\$570.00		
09/13/06	Gould	Assist with trial preparation	6.00	\$570.00		
09/11/06	Gould	Assist with trial preparation	5.50	\$522.50		
06/28/06	Gould	Create case binders for all applicable summary judgment filings in preparation for July hearing	5.00	\$475.00		
04/06/06	Gould	Research for expert rebuttal and expert depositions; update deposition exhibit binders and transcript binders; index Equiserve documents	5.00	\$475.00		
05/31/06	Gould	Prepare for opposition to Blue Hills' motion for summary judgment filing	5.00	\$475.00		
06/29/06	Gould	Create case binders for all applicable summary judgment filings in preparation for July hearing	4.50	\$427.50		
04/17/06	Gould	Prepare for expert rebuttal/depositions; update exhibit binder	4.00	\$380.00		
05/09/06	Gould	Compare, using Deltaview, Greenspan final and draft reports	4.00	\$380.00		
03/06/06	Gould	Update deposition exhibit binders; index LNR document production	4.00	\$380.00		
05/15/06	Gould	Prepare support materials for summary judgment motion	4.00	\$380.00		
04/03/06	Gould	Research for expert rebuttal and expert depositions; create/ organize deposition exhibit set of binders for experts; locate deposition transcripts to send to experts.	4.00	\$380.00		
		Subtotal Blockbilled for Timekeeper Gould	109.50	\$10,402.50		

EXHIBIT A

09/12/06	McNabb	Prepare trial exhibits; prepare trial laptop and printer; team meeting regarding trial preparation; prepare trial witness files; prepare boxes to send to court	17.80	\$3,026.00		
09/13/06	McNabb	Prepare materials in courtroom for trial; attend and take notes of trial; prepare exhibits, laptop and indices for trial; prepare pleadings and cases for motion hearing.	14.00	\$2,380.00		
10/11/06	McNabb	Prepare courtroom for trial; prepare exhibits for B. Barnett; update trial indices; update laptop; obtain Blue Hills LLC and Corporation articles of incorporation and by-laws for T. Feit; create Rosen, Erwin and Andelman exhibit lists	13.30	\$2,261.00		
09/11/06	McNabb	Pulled potential exhibits in preparation for trial; prepared witness files for trial; status meeting with B. Falby, B. Barnett and T. Feit regarding trial preparation; meeting with B. Barnett and M.Vhay regarding preparation of exhibits for Judge Young; e	13.10	\$2,227.00		
10/02/06	McNabb	Prepare trial exhibits; prepare trial laptop; update exhibits lists; prepare working copies of Clarke and Frank deposition transcripts for B. Falby	12.40	\$2,108.00		
09/14/06	McNabb	Create control sets of agreed/admitted trial exhibits; create control sets of lender's trial exhibits; prepare laptop for trial; update exhibits lists; pull MA general law from Westlaw; prepare boxes containing trial materials to be sent to court.	12.40	\$2,108.00		
10/10/06	McNabb	Prepare trial boxes at court; prepare pleadings to bring to court; update trial laptop; update trial indices; pull cases cited by Blue Hills for T. Feit	10.80	\$1,836.00		
09/29/06	McNabb	Prepare materials in courtroom; attend day 4 of trial; update exhibits lists; participate in conference call with B. Falby, J. Polcari, B. Barnett and T. Feit regarding trial day 4	9.10	\$1,547.00		
10/09/06	McNabb	Create contact sheet for witnesses; update trial transcript binders; update trial exhibit binders; pull Goldberg, Stone and Fineberg exhibits for B. Falby; prepare motion to admit for filing; prepare Mallegni deposition annotations and exhibits	8.80	\$1,496.00		
09/28/06	McNabb	Prepare exhibits for trial; prepare trial boxes and coordinated their delivery to court; update trial laptop; update trial indices; scan and electronically distribute motion exhibits	8.00	\$1,360.00		
09/22/06	McNabb	Update trial transcript binders; scan and electronically distribute trial exhibit 148; prepare trial exhibit binders for Cohn deposition; update Warsaw and Rosen deposition abstracts.	7.70	\$1,309.00		
10/13/06	McNabb	Attend last day of trial (closing arguments) conference call with client; organize trial binders and files	5.50	\$935.00		
09/18/06	McNabb	Create trial transcript binder for mediator; create trial transcript folder in Livenote; scan and electronically distribute Warsaw and Rosen minuscpts; add word indices to Falby copies of Fineberg and Goldberg deposition transcripts	4.60	\$782.00		
09/06/06	NcNabb	Create and edit deposition abstracts sorted by topic of Warsaw, Mallegni, Martin, Rosen, Needle and Lloyd; search for addresses of Goldberg, Fineberg, Frank, Stone, Needle and Donovan	7.80	\$1,326.00		
		Subtotal Blockbilled for Timekeeper McNabb	145.30	\$24,701.00		
02/17/05	Tucker	Review complaint and loan documentation in detail; email and telephone conference with J. Polcari; email M. Carballo (3); attention to removal; review photographs of parking garage; memo re. loan documents.	7.50	\$4,087.50		
		Subtotal Blockbilled for Timekeeper Tucker	7.50	\$3,900.00		
09/12/06	Yavin	Prepare materials to be used at trial; confer with legal team re Trial preparation; update laptop with files to be used at trial	12.40	\$2,108.00		
02/22/06	Yavin	Compile and gather documents for the subject and chronology binders; prepare for the upcoming depositions; review recent Blue Hills documents produced; prepare documents to be scanned; confer with B. Falby, B. Barnett an T. Feit re The above	11.75	\$1,997.50		
05/16/06	Yavin	Prepare documents to be filed regarding the summary judgment motion; update and manage case files	10.80	\$1,836.00		
03/15/06	Yavin	Prepare for upcoming depositions; update and manage the document production files	9.50	\$1,615.00		
02/23/06	Yavin	Compile and gather documents for the subject and chronology binders; prepare for the J. Polcari deposition; review recent Blue Hills documents produced; prepare documents to be scanned	9.25	\$1,572.50		
05/17/06	Yavin	Assist in filing of the summary judgment papers	8.75	\$1,487.50		
03/16/06	Yavin	Prepare for the upcoming depositions; update and manage the case files	8.20	\$1,394.00		
09/13/06	Yavin	Update trial exhibits; prepare materials to be used at trial; update laptop with files and software to be used at trial; travel to court and deliver materials to be used at trial; prepare for second day of trial; prepare trial exhibits to be scanned.	7.00	\$1,190.00		
03/13/06	Yavin	Prepare for upcoming depositions; update and manage the document production and case files; prepare documents for production.	6.70	\$1,139.00		

EXHIBIT A

03/17/06	Yavin	Prepare for upcoming depositions; update and manage the document production files	6.25	\$1,062.50		
02/07/06	Yavin	Create the witness files; conduct searches on Concordance for responsive documents regarding witnesses; update and manage the document production and case files	5.30	\$901.00		
05/19/06	Yavin	Update and manage the case files; compile summary judgment filings for courtesy copy to court and legal team	5.30	\$901.00		
02/09/06	Yavin	Provide documents during G. Stone deposition; receive and review draft of G. Stone deposition transcript; compile documents for upcoming depositions; update and manage the case files	5.20	\$884.00		
03/20/06	Yavin	Prepare for upcoming depositions; update and manage the case files	4.75	\$807.50		
04/25/06	Yavin	Update the Livenote transcript files; update and circulate the new deposition schedule; update and manage the case files.	4.75	\$807.50		
04/14/06	Yavin	Update the deposition schedule; update the Livenote transcript files; update and manage the case files; prepare for the expert depositions	4.70	\$799.00		
04/21/06	Yavin	Prepare for the upcoming expert depositions; produce WF documents; update and manage the case files	4.60	\$782.00		
11/09/05	Yavin	Review and prepare the LNR, WF, CSFBMSC documents for production; review and log documents pulled as privilege	4.50	\$675.00		
11/03/05	Yavin	Review and prepare the LNR, WF, CSFBMSC documents for production; review and log documents pulled as privilege; update and manage case files.	4.40	\$660.00		
02/08/06	Yavin	Prepare materials to be reviewed and used for upcoming depositions; update the witness files; update and manage the document production files	4.40	\$748.00		
04/17/06	Yavin	Send deposition exhibits to opposing counsel; update the expert and exhibit files; prepare and send exhibits to be scanned; prepare for the expert depositions	4.25	\$722.50		
05/08/06	Yavin	Provide support during Greenspan deposition; update and manage the case files	4.20	\$714.00		
05/02/06	Yavin	Prepare for the Greenspan deposition; review Clarke exhibits; update exhibit files; send materials to expert; send errata sheet to E. Stotz; update and manage the case files	4.20	\$714.00		
04/26/06	Yavin	Prepare for the K. Gartrell deposition; update the witness files; prepare for the Clarke deposition; update and manage the document production files	4.20	\$714.00		
06/13/06	Yavin	Compile summary judgment documents filed on 6/12/06 for client, file and judge; update and manage the case files	4.00	\$680.00		
		Subtotal Blockbilled for Timekeeper Yavin	159.35	\$26,911.50		
		Miscellaneous Timekeepers:				
11/17/05	Carreon	Match culled searches (done by Y LPT) are matched with proper parent child relationship on the Master database	4.00	\$520.00		
03/27/06	Castro	Continue to index Credit Suisse documents	4.90			
03/24/06	Castro	Index Credit Suisse documents	4.50	\$787.50		
05/16/06	Core	Legal research; assist with memorandum for summary judgment; check briefs	10.30	\$3,090.00		
05/15/06	Core	Conduct research regarding (REDACTED)	8.40	\$2,520.00		
05/10/06	Core	Research in support of summary judgment motion	8.30	\$2,490.00		
05/17/06	Core	Summary judgment research edits to briefs	8.00	\$2,400.00		
05/14/06	Core	Research and writing for summary judgment motion	7.90	\$2,370.00		
05/14/06	Core	Research and writing for summary judgment motion	7.90	\$2,370.00		
06/11/06	Core	Perform research in support of reply brief	4.60	\$1,380.00		
05/31/05	Davidson	Draft memo in support of motion to strike jury request	7.50	\$1,387.50		
05/27/05	Davidson	Research (redacted)	4.30	\$795.50		
06/09/06	Morin	Compose memorandum that addresses Rule 30(e) ... edit memorandum; print and submit memorandum to Bruce Falby	6.90	\$1,276.50		
06/08/06	Morin	Receive assignment and discuss with Bruce Falby; research (redacted) create outline for memorandum to address Rule 30(e) and its applicability to this case.	5.30	\$980.50		
		Subtotal Blockbilled for Miscellaneous Timekeepers	92.80	\$22,367.50		
		Total Blockbilling for All Timekeepers	2276.00	\$861,567.75		

EXHIBIT B

TIMEKEEPER'S BILLING RATES 2004 THROUGH 2006									
				2004	2005	2006	increase '04-'05	increase '05-'06	increase '04-'06
Partners									
Tucker				510	545	590	7%	8%	16%
Falby					520	565		9%	
Bialecki					525				
Nolan					510				
Howell					430				
Sheehan					495	540		9%	
Erbsen						560			
Markin						520			
Donovan						490			
Vhay						500			
Hugg					0	560			
Associates									
Barnett				285	335	400	18%	19%	40%
Feit				215	235	300	9%	28%	40%
Nepf					405				
Core					235	300		28%	
Paralegals									
Stewart				190	210		11%		
Yavin					150	170		13%	
Williams					175				
Kaisershot					165				
Wilson						190			
Anderson						190			
Castro						175			
Hutchinson						135			
McNabb						170			
Schmidt						180			
Others									
Snyder	Librarian			160	170	230	6%	35%	44%
Carreon	Monthly Staff				130	140		8%	
Pagaduan	Monthly Staff				130				
Towner	Monthly Staff					140			
Gould	Project Assistant				90	95		6%	
Gardiner	Project Assistant					130			
Morin	Summer Associate					185			
Davidson	Summer Associate				185				

EXHIBIT C

CHALLENGED FEES ONLY															
DATE	TIMEKEEPER	DESCRIPTION	TIME	AMOUNT BILLED	OBJECTION 1			OBJECTION 2	OBJECTION 3						
03/15/06	Yavin	Prepare for upcoming depositions; update and manage the document production files	9.50	\$1,615.00	B	D	D			KEY:					
05/15/06	Gould	Prepare support materials for summary judgment motion	4.00	\$380.00	B	D	D			B=	Block Billing, Vague				
02/10/06	Barnett	Prepare for Donovan deposition	8.60	\$3,440.00	B	D	O			C=	Clerical, Administrative or data entry.				
02/13/06	Barnett	Prepare for Donovan deposition	4.10	\$1,640.00	B	D	O			D=	Duplicative or Excessive				
02/12/06	Falby	Prepare for Donovan deposition	4.00	\$2,260.00	B	D	O			I=	Insufficient detail/Not identifiably related to matter				
02/13/06	Falby	Prepare for Donovan deposition	4.70	\$2,655.50	B	D	O			O=	Overbilling, Senior or Multiple Staffing				
02/17/05	Tucker	Review complaint and loan documentation in detail; email and telephone conference with J. Polcari; email M. Carballo (3); attention to removal; review photographs of parking garage; memo re. loan documents.	7.50	\$4,087.50	B	D				T=	No Corresponding Time Entry				
03/09/05	Barnett	Legal research re. removability to federal court.	4.70	\$1,574.50	B	D				U=	Unrecoverable Overhead				
03/10/05	Barnett	Review borrower formation documents; legal research re. removal; conference with R. Tucker, T. Feit re. removal, answer strategy.	6.60	\$2,211.00	B	D									
09/13/05	Barnett	Review, revise draft written discovery.	4.70	\$1,574.50	B	D									
10/18/05	Barnett	Review client documents; draft chronology; draft responses to discovery requests; telephone conference with M. O'Neill/WF re. discovery.	5.50	\$1,842.50	B	D									
10/20/05	Barnett	Research, draft written discovery.	4.50	\$1,507.50	B	D									
10/24/05	Barnett	Draft responses to written discovery; fact research and document review re. same; telephone conferences and e-mail correspondence with J. Polcari, J. Berry re. e-mail production.	9.10	\$3,048.50	B	D									
10/27/05	Barnett	Draft responses to written discovery; review documents; telephone conference with A. Pagaduan re. electronic discovery issues; telephone calls and e-mail memorandum to J. Huffman, J. Schampier re. discovery issues; telephone conference with J. Arakiki re.	9.30	\$3,115.50	B	D									
10/31/05	Barnett	Draft written discovery responses; telephone conferences and e-mail memoranda to J. Polcari, J. Warshaw, R. Rosen; review documents; telephone conference with J. Schampier re. CSFB documents.	6.40	\$2,144.00	B	D									
11/01/05	Barnett	Draft and revise responses to written discovery; telephone conferences with J. Warshaw, J. Polcari, R. Rosen re. matter, answers to interrogatories; review documents; e-mail memoranda to client re. CSFB e-mails.	12.10	\$2,843.50	B	D									
11/02/05	Barnett	Review documents; revise responses to written discovery; manage document production; e-mail memoranda re. CSFB e-mails.	9.10	\$3,048.50	B	D									
11/03/05	Barnett	Draft and revise written discovery responses; review documents; manage document production; conferences with T. Feit, R. Tucker; B. Falby re. discovery responses, case alignment; e-mail memoranda to clients re. answers to interrogatories; telephone confer	13.30	\$4,455.50	B	D									
11/10/05	Barnett	Telephone conferences with M. Swisher, clients re. substitution of parties; review and revise draft pleadings re. motion to dismiss and amend; draft Trustee's Answers to Interrogatories and Responses to Request for Document; revise other discovery respons	4.50	\$1,507.50	B	D									
11/11/05	Barnett	Revise written discovery responses; telephone conference with J. Polcari re. Answers to Interrogatories; telephone conferences with M. Swisher re. motion to dismiss and to amend.	5.60	\$1,876.00	B	D									
11/18/05	Barnett	Review discovery responses served by plaintiffs; draft subpoenas to third parties; review documents for production; conference with B. Falby re. mediation and discovery strategy.	4.70	\$1,574.50	B	D									
10/25/06	Barnett	Draft responses to written discovery; coordinate document production; review client documents; conference re. discovery issues with B. Falby, T. Feit, N. Yavin; memorandum to B. Falby re. Depositor, assignments of mortgage.	7.20	\$2,412.00	B	D									
09/09/05	Feit	Draft interrogatories, requests for production and requests for admissions.	4.90	\$1,151.50	B	D									

KEY:					
B=	Block Billing, Vague				
C=	Clerical, Administrative or data entry.				
D=	Duplicative or Excessive				
I=	Insufficient detail/Not identifiably related to matter				
O=	Overbilling, Senior or Multiple Staffing				
T=	No Corresponding Time Entry				
U=	Unrecoverable Overhead				

EXHIBIT C

09/12/05	Feit	Draft interrogatories, requests for production and requests for admissions.	6.50	\$1,527.50	B	D									
09/13/05	Feit	Draft interrogatories, requests for production and requests for admissions.	7.60	\$1,786.00	B	D									
09/14/05	Feit	Draft interrogatories, requests for production and requests for admissions.	4.20	\$987.00	B	D									
10/19/05	Feit	Draft responses to interrogatories.	4.60	\$1,081.00	B	D									
11/21/05	Feit	Conference with P. McGlynn and M. Swisher concerning discovery responses; draft motion to compel discovery responses and memorandum in support thereof; draft subpoenas and confidentiality agreement covering discovery responses.	10.10	\$2,373.50	B	D									
11/22/05	Feit	Draft third-party subpoenas; research and draft motion to compel and memorandum in support of motion to compel; confer with opposing counsel regarding same and regarding selection of mediator.	4.00	\$940.00	B	D		KEY:							
03/13/06	Barnett	Team meetings re. Discovery, summary judgment, expert strategy; research re. Plaintiff's damages claims; conference with M. Sheehan re. Tax losses; conference with B. Falby re. Same	5.40	\$2,160.00	B	D		B=	Block Billing, Vague						
03/16/06	Barnett	Prepare for L. Needle deposition; telephone conference with B. Falby re. Same; research and assistance with preparation for J. Rubino deposition; telephone conferences with M. Swisher re. Deposition matters; numerous conferences with T. Feit, L. Core, N.	12.00	\$4,800.00	B	D		C=	Clerical, Administrative or data entry.						
03/17/06	Barnett	Prepare for, take, follow-up to deposition of L. Needle; telephone conference with B. Falby re. Depositions of Needle, Rubino; conference with T. Feit re. Fineberg, Goldberg depositions, other discovery matters	10.10	\$4,040.00	B	D		D=	Duplicative or Excessive						
03/20/06	Barnett	Conference with B. Falby re. Damages issues; conference with T. Feit re. Motion to amend counterclaim; telephone calls to M. Carballo, C. Mallegni, M. Nam re ratings agency documents; letter to M. Swisher responding to numerous letters re discovery issues;	5.60	\$2,240.00	B	D		I=	Insufficient detail/Not identifiably related to matter						
04/26/06	Barnett	Prepare for expert deposition of Clarke; review his qualifications, experience, publications; prepare outline; fact research	9.90	\$3,960.00	B	D		O=	Overbilling, Senior or Multiple Staffing						
04/27/06	Barnett	Prepare for Clarke deposition; draft, revise outline; fact research; conferences with B. Falby re. Same; review Wells Fargo telephone records; telephone conference with B. Lloyd re same; prepare records for production; draft letter to M. Swisher re. Same;	11.10	\$4,440.00	B	D		T=	No Corresponding Time Entry						
05/01/06	Barnett	Prepare for P. Riley deposition; draft letter re error in riley report; strategy meeting re summary judgment; review Andelman transcript	6.70	\$2,680.00	B	D		U=	Unrecoverable Overhead						
05/02/06	Barnett	Prepare for, defend, follow up to Riley deposition; prepare for Greenspan deposition	6.10	\$2,440.00	B	D									
03/15/06	Falby	Telephone conference with E. Stotz regarding expert appraisal work; telephone conference with C. Poutasse regarding expert damages and accounting work; telephone conference with J. Rubino to prepare for deposition; draft response to P. McGlynn letter; att	6.00	\$3,390.00	B	D									
03/16/06	Falby	Prepare J. Rubino for deposition in South Carolina; edit motion to quash subpoena regarding attorneys' fees documents; emails to T. Feit regarding same.	8.00	\$4,520.00	B	D									
03/17/06	Falby	Defend J. Rubino deposition; telephone conference with B. Barnett regarding L. Needle deposition	8.00	\$4,520.00	B	D									
03/20/06	Falby	Telephone conference with P. McGlynn regarding deposition scheduling and experts; draft letter to P. McGlynn regarding same; conference with E. Stotz regarding expert disclosure; draft letter to E. Stotz; prepare for G. Fineberg deposition	4.00	\$2,260.00	B	D									
03/23/06	Falby	Review measure of damages; attention to documents for C. Poutasse; telephone conference with C. Poutasse; draft and file emergency motion regarding G. Fineberg deposition; revise and file motion to impound motion to amend; emails to P. McGlynn regarding s	7.50	\$4,237.50	B	D									
04/01/06	Falby	Review expert reports; email to B. Barnett, T. Feit, N. Yavin regarding same; internet research on experts	4.00	\$2,260.00	B	D									
04/02/06	Falby	Conference with B. Barnett, T. Feit regarding experts; email to locate industry expert; revise G. Fineberg deposition outline	4.00	\$2,260.00	B	D									

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04/03/06	Falby	Telephone conferences, emails, phone calls to interview and select expert rebuttal witnesses; telephone conference with E. Stotz regarding Gartrell report	6.50	\$3,672.50	B	D								
04/04/06	Falby	Telephone conferences with potential experts; conference with B. Barnett regarding same; telephone conference with C. Poutasse regarding expert rebuttal; prepare for G. Fineberg deposition	8.00	\$4,520.00	B	D								
04/05/06	Falby	Depose G. Fineberg; conference with B. Barnett regarding expert rebuttal; conference with T. Feit regarding legal research	8.00	\$4,520.00	B	D								
04/06/06	Falby	Prepare for K. Goldberg deposition; telephone conference with FTI Consulting	5.10	\$2,881.50	B	D								
04/07/06	Falby	Prepare for deposition; depose K. Goldberg; telephone conference with M. Carballo; leave message with E. Stotz; review cases regarding reliance on counsel defense	8.50	\$4,802.50	B	D			KEY:					
04/10/06	Falby	Draft memorandum regarding K. Goldberg testimony; telephone conference with experts; email to P. McGlynn; conference with B. Barnett regarding Wells Fargo documents; conference with T. Feit regarding draft expert report by Greenspan; review same	4.00	\$2,260.00	B	D			B=	Block Billing, Vague				
04/14/06	Falby	Multiple telephone conferences with experts; review and comment on rebuttal expert reports; telephone conferences with M. Swisher; email regarding expert deposition schedule	6.80	\$3,842.00	B	D			C=	Clerical, Administrative or data entry.				
04/20/06	Falby	Conference with E. Stotz to prepare for deposition; review E. Stotz documents for production; prepare for K. Gartrell deposition; review E. Stotz modification; telephone call from E. Stotz regarding same	8.20	\$4,633.00	B	D			D=	Duplicative or Excessive				
04/23/06	Falby	Prepare for expert depositions	7.00	\$3,955.00	B	D			I=	Insufficient detail/Not identifiably related to matter				
04/24/06	Falby	Prepare for K. Gartrell deposition; conferences with B. Barnett regarding D. Andelman deposition	4.50	\$2,542.50	B	D			O=	Overbilling, Senior or Multiple Staffing				
04/26/06	Falby	Prepare for K. Gartrell deposition; depose K. Gartrell; prepare for R. Clarke deposition; conference with B. Barnett regarding same	9.00	\$5,085.00	B	D			T=	No Corresponding Time Entry				
04/27/06	Falby	PR for Clarke deposition; conference with B. Barnett and T. Feit	7.80	\$4,407.00	B	D			U=	Unrecoverable Overhead				
05/01/06	Falby	Review R. Clarke transcript; conference with P. Riley in preparation for deposition; conference with T. Feit and B. Barnett regarding depositions and summary judgment.	7.70	\$4,350.50	B	D								
05/02/06	Falby	Draft motion to exclude K. Gartrell expert testimony; review cases regarding real estate valuation; review and comment on draft statement of facts; conferences with B. Barnett and P. Riley regarding deposition; telephone conference with C. Poutasse regard	4.00	\$2,260.00	B	D								
05/07/06	Falby	Prepare to meet wit R. Greenspan; conference with R. Greenspan to prepare for deposition.	6.50	\$3,672.50	B	D								
05/08/06	Falby	Conference with R. Greenspan; defend R. Greenspan deposition; conferences with B. Barnett, T. Feit, L. Core regarding summary judgment	11.00	\$6,215.00	B	D								
03/15/06	Gould	Prepare for Rubino deposition	6.00	\$570.00	B	D								
04/03/06	Gould	Research for expert rebuttal and expert depositions; create/ organize deposition exhibit set of binders for experts; locate deposition transcripts to send to experts.	4.00	\$380.00	B	D								
04/06/06	Gould	Research for expert rebuttal and expert depositions; update deposition exhibit binders and transcript binders; index Equiserve documents	5.00	\$475.00	B	D								
03/13/06	Yavin	Prepare for upcoming depositions; update and manage the document production and case files; prepare documents for production.	6.70	\$1,139.00	B	D								
05/02/06	Yavin	Prepare for the Greenspan deposition; review Clarke exhibits; update exhibit files; send materials to expert; send errata sheet to E. Stotz; update and manage the case files	4.20	\$714.00	B	D								
05/04/06	Barnett	Review, revise, add to summary judgment statement of facts; fact research re same.	11.80	\$4,720.00	B	D								
05/07/06	Barnett	Prepare for Greenspan expert deposition; prepare summary judgment papers; draft affidavits.	7.20	\$2,880.00	B	D								

EXHIBIT C

05/08/06	Barnett	Revise summary judgment statement of facts; fact research re Same; prepare for Greenspan expert deposition; review FTI engagement letter; conferences re Summary judgment strategy, legal issues with B. Falby, T. Feit, L. Core	8.20	\$3,280.00	B	D								
05/10/06	Barnett	Revise summary judgment brief; legal research re Same; conferences with B. Falby, T. Feit, L. Core re Same	10.70	\$4,280.00	B	D								
05/11/06	Barnett	Revise summary judgment brief; legal research re Same; conferences with B. Falby, T. Feit re Same; telephone calls to Wells Fargo, LNR re Same; produce supplemental Wells Fargo telephone search results to opposing counsel; letter to and telephone conf	12.10	\$4,840.00	B	D								
05/12/06	Barnett	Revise summary judgment brief; legal research re Same	7.20	\$2,880.00	B	D								
05/14/06	Barnett	Revise summary judgment brief; legal research re Same; review, revise statement of facts	12.70	\$5,080.00	B	D								
05/15/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same, revise briefs, legal and fact research re Same, draft LNR and Wells Fargo affidavits, telephone conferences with Wells Fargo, LNR re Same.	13.00	\$5,200.00	B	D				KEY:				
05/16/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same; revise briefs, legal and fact research re Same, draft LNR and Wells Fargo affidavits, telephone conference with Wells Fargo, LNR re Same	14.30	\$5,720.00	B	D				B=	Block Billing, Vague			
05/17/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same, revise briefs, legal and fact research re Same, draft Barnett affidavit, supervise document preparation, electronic filing preparation.	13.60	\$5,440.00	B	D				C=	Clerical, Administrative or data entry.			
05/19/06	Barnett	Review, revise statement of facts; submit corrected statement of facts to court, opposing counsel; supervise compilation of judge's personal copy of summary judgment pleadings	6.70	\$2,680.00	B	D				D=	Duplicative or Excessive			
05/23/06	Barnett	Analyze Blue Hills' statement of facts; telephone call to M Swisher re Missing exhibits; draft response thereto; fact research re Same	7.20	\$2,880.00	B	D				I=	Insufficient detail/Not identifiably related to matter			
05/24/06	Barnett	Analyze and draft response to Blue Hills' Statement of Facts; prepare opposition to Blue Hill's motion for summary judgment.	9.80	\$3,920.00	B	D				O=	Overbilling, Senior or Multiple Staffing			
05/25/06	Barnett	Review Rubino deposition testimony; analyze and draft response to Blue Hills' motion for summary judgment.	8.20	\$3,280.00	B	D				T=	No Corresponding Time Entry			
05/26/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise opposition brief.	5.90	\$2,360.00	B	D				U=	Unrecoverable Overhead			
05/29/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise brief in opposition to Blue Hill's motion for summary judgment; legal research re Same; conferences with B. Falby re Same.	11.40	\$4,560.00	B	D								
05/30/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise brief in opposition to Blue Hills' motion for summary judgment; legal research re Same; draft affidavit.	11.30	\$4,520.00	B	D								
06/07/06	Barnett	Draft reply briefs, affidavit of counsel; legal and fact research re Same; review Blue Hills' response to our statement of facts	12.40	\$4,960.00	B	D								
06/08/06	Barnett	Draft reply brief re Counterclaim; draft Wells Fargo affidavit re Reserves; legal and fact research re Same	6.90	\$2,760.00	B	D								
06/09/06	Barnett	Revise summary judgment reply briefs; legal and fact research re Same; revise Wells Fargo affidavit; telephone conferences with J. Arakaki, J. Martin re Same; draft response to Blue Hills second statement of facts.	7.80	\$3,120.00	B	D								
06/11/06	Barnett	Draft response to Blue Hills second fact statement; revise summary judgment reply briefs; draft Third Barnett Affidavit; compile evidence for reply filings	10.20	\$4,080.00	B	D								
06/12/06	Barnett	Review, revise response to Blue Hills second fact statement, summary judgment reply briefs, Third Barnett Affidavit; compile evidence for reply filings.	9.10	\$3,640.00	B	D								
05/10/06	Core	Research in support of summary judgment motion	8.30	\$2,490.00	B	D								
05/14/06	Core	Research and writing for summary judgment motion	7.90	\$2,370.00	B	D								

EXHIBIT C

05/14/06	Core	Research and writing for summary judgment motion	7.90	\$2,370.00	B	D								
05/15/06	Core	Conduct research regarding (REDACTED)	8.40	\$2,520.00	B	D								
05/16/06	Core	Legal research; assist with memorandum for summary judgment; check briefs	10.30	\$3,090.00	B	D								
05/17/06	Core	Summary judgment research edits to briefs	8.00	\$2,400.00	B	D								
05/03/06	Falby	Conference with B. Barnett and T. Feit regarding summary judgment briefing; draft motion to exclude K. Gartrell testimony; attention to R. Greenspan deposition.	6.00	\$3,390.00	B	D								
05/04/06	Falby	Draft motion to exclude K. Gartrell; conferences with B. Barnett and T. Feit regarding summary judgment	7.00	\$3,955.00	B	D								
05/13/06	Falby	Revise summary judgment papers	9.00	\$5,085.00	B	D								
05/14/06	Falby	Revise summary judgment papers	8.00	\$4,520.00	B	D								
05/15/06	Falby	Revise summary judgment papers; email to client	12.00	\$6,780.00	B	D								
05/16/06	Falby	Revise briefs, statement of facts; draft motions; telephone conference with client	12.00	\$6,780.00	B	D								
05/17/06	Falby	Revise summary judgment briefs, motions, facts; finalize motion to exclude and memorandum in support	12.00	\$6,780.00	B	D								
05/22/06	Falby	Draft introduction to opposition brief and memorandum regarding factual and legal points to make in response; conference with B. Barnett and T. Feit regarding summary judgment opposition	5.10	\$2,881.50	B	D								
05/28/06	Falby	Edit opposition; email to T. Feit regarding same; edit facts	4.00	\$2,260.00	B	D								
05/29/06	Falby	Edit summary judgment opposition; telephone conferences with T. Feit; conference with B. Barnett; edit factual response.	6.00	\$3,390.00	B	D								
05/30/06	Falby	Revise summary judgment opposition	8.00	\$4,520.00	B	D								
05/31/06	Falby	Edit, finalize summary judgment opposition brief	6.00	\$3,390.00	B	D								
06/08/06	Falby	Revise reply briefs; conferences with B. Barnett regarding same; conferences with L. Core and J. Morin regarding legal research	10.00	\$5,650.00	B	D								
06/11/06	Falby	Revise reply briefs	4.00	\$2,260.00	B	D								
03/27/06	Feit	Research and draft amended counterclaim; research and draft motion for summary judgment; revise affidavit in support of motion to compel deposition	7.10	\$2,130.00	B	D								
04/20/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.60	\$1,680.00	B	D								
04/24/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	4.00	\$1,230.00	B	D								
04/25/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	4.10	\$1,230.00	B	D								
04/26/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.00	\$1,500.00	B	D								
04/27/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.70	\$2,310.00	B	D								
04/28/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.90	\$2,370.00	B	D								
04/30/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.90	\$1,770.00	B	D								
05/01/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	10.30	\$3,090.00	B	D								
05/02/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	9.50	\$3,800.00	B	D								
05/03/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	9.80	\$2,940.00	B	D								
05/04/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.30	\$2,190.00	B	D								
05/05/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	8.10	\$2,430.00	B	D								
05/05/06	Feit	Research and draft summary judgment motion	8.10	\$2,430.00	B	D								

KEY:

B=

Block Billing, Vague

C=

Clerical, Administrative or data entry.

D=

Duplicative or Excessive

I=

Insufficient detail/Not identifiably related to matter

O=

Overbilling, Senior or Multiple Staffing

T=

No Corresponding Time Entry

U=

Unrecoverable Overhead

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05/06/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	8.30	\$2,490.00	B	D												
05/07/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	6.70	\$2,010.00	B	D												
05/08/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	11.20	\$3,360.00	B	D												
05/09/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	10.20	\$3,060.00	B	D												
05/15/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment.	6.80	\$2,040.00	B	D												
05/16/06	Feit	Research and draft summary judgment motion	14.00	\$4,200.00	B	D												
05/17/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment.	9.10	\$2,730.00	B	D												
05/22/06	Feit	Research and draft opposition to motion for summary judgment	8.20	\$2,460.00	B	D												
05/23/06	Feit	Research and draft opposition to summary judgment motion	4.50	\$1,350.00	B	D												
05/24/06	Feit	Research and draft opposition to summary judgment motion	4.10	\$300.00	B	D												
05/25/06	Feit	Research and draft opposition to summary judgment motion	9.20	\$2,760.00	B	D												
05/26/06	Feit	Research and draft opposition to summary judgment motion	4.10	\$1,230.00	B	D												
05/27/06	Feit	Research and draft opposition to summary judgment motion	9.80	\$2,940.00	B	D												
05/16/06	Gould	Prepare for summary judgment filing	11.00	\$1,045.00	B	D												
05/17/06	Gould	Prepare for summary judgment filing	8.50	\$807.50	B	D												
05/31/06	Gould	Prepare for opposition to Blue Hills' motion for summary judgment filing	5.00	\$475.00	B	D												
05/16/06	Yavin	Prepare documents to be filed regarding the summary judgment motion; update and manage case files	10.80	\$1,836.00	B	D												
05/17/06	Yavin	Assist in filing of the summary judgment papers	8.75	\$1,487.50	B	D												
07/17/06	Barnett	Draft pretrial memorandum	5.40	\$2,160.00	B	D												
07/18/06	Barnett	Draft pre-Trial memorandum; attend final pre-Trial conference	7.30	\$2,920.00	B	D												
09/05/06	Barnett	Trial preparation including deposition abstracts, witness outlines, review pleadings and documents	11.20	\$4,480.00	B	D												
09/26/06	Barnett	Cohn deposition preparation; telephone conferences with Wells Fargo witnesses re Testimony; witness outlines; research re Evidentiary issues.	9.00	\$3,600.00	B	D												
10/02/06	Barnett	Trial preparation; attention to exhibits, hearsay research, conferences with M. Swisher re Same; witness testimony preparation	7.60	\$3,040.00	B	D												
10/03/06	Barnett	Trial and trial preparation, including attention to exhibits, preparation for witness testimony	14.70	\$5,880.00	B	D												
10/11/06	Barnett	Trial and trial preparation, including witness outlines, attention to exhibits, prepare for argument on Rule 52(c) motion; prepare witnesses.	15.50	\$6,200.00	B	D												
07/18/06	Falby	Revisions to pre-Trial memorandum; prepare for pre-Trial ; attend pre-Trial; conference with B. Barnett, T. Feit regarding same; draft email to client regarding same; review mortgage provisions regarding fee recovery.	5.25	\$2,966.25	B	D												
09/26/06	Falby	Depose A. Cohn; prepare A. Cohn cross; telephone call from M. Carballo	11.00	\$6,215.00	B	D												
10/02/06	Falby	Trial preparation	7.00	\$3,955.00	B	D												
10/03/06	Falby	Trial; trial preparation telephone conference	10.45	\$5,904.25	B	D												
10/09/06	Falby	Trial preparation; edit memorandum regarding implied covenant; edit directed finding memorandum	11.50	\$6,497.50	B	D												
10/11/06	Falby	Trial and trial preparation	16.00	\$9,040.00	B	D												
08/29/06	Feit	Draft proposed stipulated facts in preparation for trial	4.60	\$1,380.00	B	D												
10/04/06	Feit	Prepare for and attend trial; research and draft memorandum concerning breach of the implied covenant of good faith and fair dealing	10.40	\$3,120.00	B	D												
10/05/06	Feit	research and draft memorandum concerning implied covenant of good faith and fair dealing	7.50	\$2,250.00	B	D												
10/06/06	Feit	research and draft memorandum concerning implied covenant of good faith and fair dealing	7.60	\$2,280.00	B	D												
03/16/05	Barnett	Prepare, revise removal papers, letters to courts, assemble appendices etc.	7.00	\$2,345.00	B	O	D											
10/04/06	Barnett	Trial and trial preparation; communications with witnesses; conferences re trial strategy.	8.20	\$3,280.00	B	O	D											

KEY:

B=	Block Billing, Vague
C=	Clerical, Administrative or data entry.
D=	Duplicative or Excessive
I=	Insufficient detail/Not identifiably related to matter
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T=	No Corresponding Time Entry
U=	Unrecoverable Overhead

EXHIBIT C

10/04/06	Falby	Trial preparation; trial; teleconference w/ M. Carballo; conference with team	7.00	\$3,955.00	B	O	D										
10/11/06	Feit	Prepare for an attend trial; research & draft proposed findings and rulings	11.00	\$3,300.00	B	O	D										
05/09/06	Barnett	Telephone conference with C. Brown	9.30	\$3,720.00	B	O											
09/05/06	Falby	Conference with B. Barnett regarding direct examinations; prepare cross-examinations (Goldberg); conference with T. Feit regarding trial tasks.	8.00	\$4,160.00	B	O											
06/08/06	Morin	Receive assignment and discuss with Bruce Falby; research (redacted) create outline for memorandum to address Rule 30(e) and its applicability to this case.	5.30	\$980.50	B	U	D										
06/09/06	Morin	Compose memorandum that addresses Rule 30(e) ... edit memorandum; print and submit memorandum to Bruce Falby	6.90	\$1,276.50	B	U	D										
05/27/05	Davidson	Research (redacted)	4.30	\$795.50	B	U											
05/31/05	Davidson	Draft memo in support of motion to strike jury request	7.50	\$1,387.50	B	U											
04/05/05	Barnett	Draft answer and responsive pleadings; review Master Servicing documents in preparation for visit to Wells Fargo; meeting at Wells Fargo (redacted) review Notepads from Strategy system; non-airplane travel time.	14.10	\$4,723.50	B												
04/06/05	Barnett	Numerous meetings and interviews at Wells Fargo	8.30	\$2,780.50	B												
04/07/05	Barnett	Numerous meetings and interviews at Wells Fargo	9.30	\$3,115.50	B												
10/26/06	Barnett	Draft responses to written discovery; review documents and prepare for production, including privilege review; telephone conference with J. Arakaki/Wells Fargo; e-mail memorandum to M. Carballo re. discovery; e-mail memorandum to J. Huffman re. discovery	9.90	\$3,316.50	B					KEY:							
04/04/06	Barnett	Telephone conference with rebuttal experts; review pooling and servicing agreement; fact research re loan statements; prepare for Fineberg deposition	6.20	\$2,480.00	B					B=	Block Billing, Vague						
04/07/06	Barnett	Preparation for Goldberg deposition; research re fact issues re Sturbridge experience; conference with B. Falby re same; telephone conference with R. Tucker, C. Brown re same; review documents from Wells Fargo; letters to witnesses re deposition transcript	5.80	\$2,320.00	B					C=	Clerical, Administrative or data entry.						
04/12/06	Barnett	Fact research for expert rebuttal reports; review deposition transcripts; work with experts on reports; conference with /b. Falby re same; telephone conference with B. Falby re same; telephone conference with M. Swisher re discovery issues; draft letter t	7.60	\$3,040.00	B					D=	Duplicative or Excessive						
04/14/06	Barnett	Work with experts re rebuttal reports; including numerous extended conference calls, fact research	8.40	\$3,360.00	B					I=	Insufficient detail/Not identifiably related to matter						
04/19/06	Barnett	Prepare for expert depositions; telephone conferences with J. Polcari, R. Rosen re depositions; review Wells Fargo documents; telephone conference REDACTED conferences with B. Falby re discovery issues; analyze counterclaim damage; attention to deposition	6.90	\$2,760.00	B					O=	Overbilling, Senior or Multiple Staffing						
04/20/06	Barnett	Expert deposition preparation; fact research re same; meeting with E. Stotz; telephone conferences with C. Poutasse; review Wells Fargo documents; prepare same for production; telephone conferences REDACTED telephone conference with J. Polcari re depositions	7.50	\$3,000.00	B					T=	No Corresponding Time Entry						
04/23/06	Barnett	Prepare for Andelman deposition; conference with B. Falby re. Same; conference with C. Poutasse re same	10.40	\$4,160.00	B					U=	Unrecoverable Overhead						
04/24/06	Barnett	Prepare for, take, follow up to Andelman deposition	10.20	\$4,080.00	B												
03/24/06	Castro	Index Credit Suisse documents	4.50	\$787.50	B												
03/27/06	Castro	Continue to index Credit Suisse documents	4.90		B												
04/17/06	Feit	Research and draft memorandum in support of motion to exclude testimony of expert witness; research and draft memorandum in support of summary judgment motion	8.90	\$2,670.00	B												
04/21/06	Yavin	Prepare for the upcoming expert depositions; produce WF documents; update and manage the case files	4.60	\$782.00	B												
04/26/06	Yavin	Prepare for the K. Gartrell deposition; update the witness files; prepare for the Clarke deposition; update and manage the document production files	4.20	\$714.00	B												

EXHIBIT C

05/05/06	Barnett	Revise summary judgment statement of facts; Greenspan expert deposition preparation; gather, review, produce documents for Greenspan deposition; draft email memorandum re summary judgment affidavits; telephone calls with E. Stotz, C. Mallegni, C. Brown, J	4.50	\$1,800.00	B														
05/13/06	Barnett	Revise summary judgment brief; legal research re same	4.50	\$1,800.00	B														
05/17/06	Barnett	Summary judgment preparation, including revise statement of facts, research re same, revise briefs, legal and fact research re same, draft Barnett affidavit, supervise document preparation, electronic filing preparation	13.60	\$5,440.00	B														
05/19/06	Barnett	Review, revise statement of facts to court, opposing counsel; supervise compilation of judges personal copy of summary judgment pleadings	6.70	\$2,680.00	B														
05/31/06	Barnett	Revise, edit, cite check response to statement of material facts; review, edit brief in opposition to Blue Hills motion for summary judgment; supervise preparation for filing; revise affidavit of counsel	9.10	\$3,640.00	B														
06/09/06	Barnett	Revise summary judgment reply briefs; legal and fact research re same; revise Wells Fargo affidavit; telephone conferences with J. Arakaki, J. Martin re same; draft response to Blue Hills second statement of facts	7.80	\$3,120.00	B														
07/13/06	Barnett	Prepare for, attend summary judgment hearing	5.60	\$2,240.00	B														
08/24/06	Barnett	Conferences with B. Falby, S. McNabb re trial preparation, summary judgment ruling; telephone conference with M. Carballo, J. Polcari re same; prepare witness outlines; telephone conferences with witnesses; telephone conference with D. Erwin re. workstati	5.20	\$2,080.00	B														
06/11/06	Core	Perform research in support of reply brief	4.60	\$1,380.00	B														
05/03/06	Falby	Conferences with B. Barnett and T. Feit regarding summary judgment briefing; draft motion to exclude K. Gartrell testimony; attention to R. Greenspan deposition	6.00	\$3,390.00	B														
05/07/06	Falby	Prepare to meet with R. Greenspan; conference with R. Greenspan to prepare for deposition	6.50	\$3,672.50	B														
05/08/06	Falby	Conference with R. Greenspan; defend R. Greenspan deposition; conferences with B. Barnett, t. Feit, L. Core regarding summary judgment	11.00	\$6,215.00	B														
07/12/06	Falby	Prepare for summary judgment hearing	9.00	\$5,085.00	B														
07/13/06	Falby	Prepare for summary judgment hearing; argue summary judgment motion	7.00	\$3,955.00	B														
03/28/06	Feit	Research and draft motion for summary judgment; research and draft amended counterclaim and ,memorandum in support of motion for leave to file amended counterclaim	7.30	\$2,190.00	B														
04/03/06	Feit	Research concerning REDACTED	8.20	\$2,460.00	B														
04/12/06	Feit	Research and draft motion for summary judgment	4.80	\$1,440.00	B														
08/31/06	Barnett	Trial preparation, including deposition abstracts, witness outlines, research re Workstation documents, email memorandum to D. Erwin re Same	6.80	\$2,720.00	B														
09/03/06	Barnett	Trial preparation, including deposition abstracts, witness outlines	7.50	\$3,000.00	B														
09/04/06	Barnett	Trial preparation, including deposition abstracts, witness outlines, research re evidentiary issues.	6.20	\$2,480.00	B														
09/06/06	Barnett	Trial preparation, including deposition abstracts and witness outlines; review pleadings and documents; research re Blue Hills notice of garage plan revisions; preparation of proposed agreed exhibit list.	10.10	\$4,040.00	B														
09/07/06	Barnett	Review proposed agreed exhibits for completeness, materials to exclude; review, revise proposed stipulated facts; conference with B. Falby, T. Feit re Mediation, trial strategy; fact research.	12.30	\$4,920.00	B							KEY:							
09/08/06	Barnett	Trial preparation, including witness outlines, revise list of proposed agreed trial exhibits, conference with B. Falby re Same; draft letter to M. Swisher re Trial logistics, telephone conferences with witness re Trial schedule	8.10	\$3,240.00	B							B=	Block Billing, Vague						
09/11/06	Barnett	Trial preparation, including preparing, negotiating exhibits with opposing counse witness outlines and other preparation	14.70	\$5,880.00	B							C=	Clerical, Administrative or data entry.						
09/12/06	Barnett	Trial preparation	17.20	\$6,880.00	B							D=	Duplicative or Excessive						
09/13/06	Barnett	Trial and trial preparation	11.20	\$4,480.00	B							I=	Insufficient detail/Not identifiably related to matter						
09/14/06	Barnett	Trial and trial preparation	12.30	\$4,920.00	B							O=	Overbilling, Senior or Multiple Staffing						
09/15/06	Barnett	Trial and trial preparation	9.70	\$3,880.00	B							T=	No Corresponding Time Entry						

EXHIBIT C

09/20/06	Barnett	Trial preparation, including Lloyd deposition designations, Warshaw direct outline, Rosen direct outline, conference with R. Wolpert, J. Polcari re Settlement, mediation strategy.	12.80	\$5,120.00	B					U=	Unrecoverable Overhead		
09/21/06	Barnett	Blue Hills trial preparation, including direct outlines, witness preparation conferences with J. Warshaw, R. Rosen, legal and fact research re Blue Hills' trial subpoenas	11.10	\$4,440.00	B								
09/22/06	Barnett	Cohn deposition preparation; trial preparation, including legal and fact research re Subpoena issues, attention to proposed exhibits and stipulation with opposing counsel, witness outlines, etc.	8.40	\$3,360.00	B								
09/25/06	Barnett	Trial preparation, including conference with J. Polcari re Testimony, prepare chalk re Deficiency, telephone conference with D. Erwin, C. Mallegni re Testimony, telephone conferences with M. Swisher re Exhibits, etc., revisions to witness outlines	11.50	\$4,600.00	B								
09/28/06	Barnett	Trial preparation, including evidence issues and legal research re Same; draft motion to quash subpoenas; Polcari witness preparation; telephone conference with C. Browne re Testimony, etc.	13.90	\$5,560.00	B								
09/29/06	Barnett	Trial preparation and trial session 4; telephone conferences and email memoranda to witnesses re Testimony, scheduling	8.20	\$3,280.00	B								
10/05/06	Barnett	Trial preparation, including witness outlines, communications with witnesses, attention to trial strategy, witness sequencing, conferences with b. Falby re Same, attention to exhibits, etc.	8.90	\$3,560.00	B								
10/08/06	Barnett	Trial preparation, including witness scheduling and strategy, email correspondence with D. Womack, prepare outlines for testimony of C. Brown, D. Erwin, C. Mallegni, prepare deposition designations for B. Lloyd, J. Rubino	9.50	\$3,800.00	B					KEY:			
10/09/06	Barnett	Trial preparation, including deposition designations for Lloyd, Rubino; Mallegni witness outline; conference with B. Falby re Mallegni testimony; attention to exhibits; letter to opposing counsel re Trial procedural issues; attention to witness scheduling	11.40	\$4,560.00	B					B=	Block Billing, Vague		
10/10/06	Barnett	Trial preparation, including witness outlines, attention to exhibits, subpoenas, revised witness list, prepare for Andelman testimony, deposition designations, witness logistics	12.50	\$5,000.00	B					C=	Clerical, Administrative or data entry.		
10/12/06	Barnett	Trial and trial preparation, including witness preparation, negotiation of stipulation, legal research for closing arguments, etc	11.00	\$4,400.00	B					D=	Duplicative or Excessive		
08/28/06	Falby	Prepare cross-examinations; telephone conference with P. McGlynn	6.00	\$3,390.00	B					I=	Insufficient detail/Not identifiably related to matter		
08/31/06	Falby	Prepare cross-examination (Fineberg); review P. McGlynn letter regarding continuance; telephone call to B. Smith; draft e-mail to clients regarding trial schedule; review letter to R. Kass regarding mediation materials; review LLC agreement and Delaware L	8.00	\$4,520.00	B					O=	Overbilling, Senior or Multiple Staffing		
09/06/06	Falby	Prepare cross-examination (Langelier); other trial preparation; telephone conference with client regarding mediation	10.00	\$5,650.00	B					T=	No Corresponding Time Entry		
09/07/06	Falby	Attend mediation; conferences with B. Barnett and T. Feit regarding trial tasks	10.50	\$5,932.50	B					U=	Unrecoverable Overhead		
09/10/06	Falby	Trial preparation; attention to cross-examination outlines, opening, exhibits, stipulated facts, findings	14.00	\$7,910.00	B								
09/11/06	Falby	Prepare for trial; telephone conference with M. Carballo regarding settlement; conferences with T. Feit, B. Barnett; attention to motions in limine, proposed findings, opening, cross-examinations; telephone conference with J. Polcari regarding trial.	10.00	\$5,650.00	B								
09/12/06	Falby	Trial preparation	12.00	\$6,780.00	B								
09/13/06	Falby	Trial, trial preparation	15.00	\$8,475.00	B								
09/14/06	Falby	Trial	14.00	\$7,910.00	B								
09/15/06	Falby	Trial; telephone conference with M. Carballo and T. Nealon	8.00	\$4,520.00	B								
09/21/06	Falby	Telephone conference with M. Carballo; trial preparation; prepare for A. Cohn deposition	7.50	\$4,237.50	B								
09/25/06	Falby	Conference with J. Polcari regarding testimony; prepare for A. Cohn deposition; review J. Polcari transcript in preparation for testimony.	9.00	\$5,085.00	B								

EXHIBIT C

09/27/06	Falby	Prepare A. Cohn cross-examination; prepare J. Polcari direct; conferences with T. Feit regarding motions; conferences with B. Barnett regarding exhibits	14.00	\$7,910.00	B									
09/28/06	Falby	Witness preparation with J. Polcari; prepare cross-examinations	12.00	\$6,780.00	B									
10/03/06	Falby	Trial; Trial preparation; telephone conference with M. Carballo	10.45	\$5,904.25	B									
10/08/06	Falby	Trial preparation	9.00	\$5,085.00	B									
10/10/06	Falby	Revise trial memoranda and cross-examinations; conferences with T. Feit, B. Barnett regarding trial issues; telephone conference with M. Carballo	8.00	\$4,520.00	B									
09/01/06	Feit	Research and draft list of proposed stipulated trial exhibits	6.10	\$1,830.00	B									
09/03/06	Feit	Draft list of proposed stipulated exhibits; draft motions in limine concerning exclusion of evidence	5.50	\$1,650.00	B									
09/06/06	Feit	Revise and file motions in limine; draft and serve trial subpoena; research and draft proposed findings of fact and rulings of law	8.20	\$2,460.00	B									
09/07/06	Feit	Research and draft proposed list of trial exhibits	5.80	\$1,740.00	B									
09/11/06	Feit	Research and draft proposed findings of fact and rulings of law; research and draft motion to exclude testimony of Andrew Cohn; draft and serve trial subpoenas; supervise preparation of necessary courtroom technology and equipment	11.40	\$3,420.00	B									
09/12/06	Feit	Research and draft proposed findings of fact and rulings of law; draft proposed stipulated facts; telephone conversation with M. Swisher concerning proposed stipulated facts; draft letter to M. Swisher enclosing trial subpoenas; assist with preparation of	15.20	\$4,560.00	B									
09/13/06	Feit	Attend and assist at trial; research, draft and file supplemental memorandum in support of motion to exclude tax loss evidence	11.50	\$3,450.00	B					KEY:				
09/14/06	Feit	Attend and assist at trial; research nature and extent of duties of attorney acting as escrow agent or holding client funds	10.60	\$3,180.00	B					B=	Block Billing, Vague			
09/15/06	Feit	Attend and assist at trial; research and draft deposition outline for A. Cohn.	7.80	\$2,340.00	B					C=	Clerical, Administrative or data entry.			
09/27/06	Feit	Review deposition testimony of A. Cohn and assist with preparation of cross-examination; research REDACTED	7.10	\$2,130.00	B					D=	Duplicative or Excessive			
09/28/06	Feit	Research and draft motion for judgment upon partial findings pursuant to Fed. R. Civ. P. 52(c); research REDACTED	8.30	\$2,490.00	B					I=	Insufficient detail/Not identifiably related to matter			
09/29/06	Feit	Prepare for and attend trial	7.40	\$2,220.00	B					O=	Overbilling, Senior or Multiple Staffing			
10/03/06	Feit	Research and draft cross-examination outline for proposed expert witness K. Gartrell; research and draft proposed findings and rulings	9.80	\$2,940.00	B					T=	No Corresponding Time Entry			
10/09/06	Feit	Research and draft memoranda in support of motion for judgment on partial findings motion to admit handwritten notes into evidence; research and draft memorandum concerning implied covenant of good faith and fair dealing; research and draft proposed findin	11.60	\$3,480.00	B					U=	Unrecoverable Overhead			
09/11/06	Gould	Assist with trial preparation	5.50	\$522.50	B									
09/13/06	Gould	Assist with trial preparation	6.00	\$570.00	B									
01/14/05	Barnett	Research theories of liability under guaranty	0.20	\$67.00	D	O								
03/15/05	Tucker	Review and revise removal petition; telephone conference with J. Huffman; telephone conference with M. Caraballo; email K. Goldberg re extension; review counterclaim; attention to payment of auctioneer.	3.20	\$1,744.00	D	O								
02/10/06	Falby	Prepare for Donovan deposition	2.00	\$565.00	D	O								
06/21/06	Feit	Research and draft memorandum in support of motion to strike alterations to deposition testimony	3.60	\$1,080.00	D	O								
06/22/06	Feit	Research and draft memorandum in support of motion to strike alterations to deposition testimony	2.60	\$780.00	D	O								
12/14/04	Tucker	Review mortgage; telephone conference with J. Polcari (2); attention to claim for proceeds of litigation	2.20	\$1,122.00	D									
12/15/04	Feit	Conference with R. Tucker regarding review of mortgage documents	0.10	\$21.50	D									
12/15/04	Tucker	Review documents re claim for stolen collateral; assignment conference with T. Feit	1.50	\$765.00	D									
12/16/04	Snyder	Online research, including Lexis, SCRIB, Internet to retrieve information on Norfolk Superior court proceeding for r. Tucker	0.70	\$112.00	D									

EXHIBIT C

12/16/04	Stewart	Research UCC-1 filing - Blue Hills Office Park, LLC, forward results to R. Tucker and B. Barnett	0.50	\$95.00	D														
12/17/04	Stewart	Conference with J. Snyder and R. Tucker regarding ownership entity of property abutting Blue Hills Office park - litigation. Special Permit; research	1.00	\$190.00	D														
12/20/04	Snyder	Online research, including Lexis, SCRIB, Internet to locate information on one entity for R. Tucker.	0.30	\$48.00	D														
12/20/04	Stewart	Research Norfolk Registry of Deeds, (redacted); obtain name of ownership entity, property address of abutters, forward research results to J. Snyder; obtain copy of Special Permit for parking garage.	3.00	\$570.00	D														
12/21/04	Stewart	(Redacted) prepare memo containing research results and Special Permit, forward same to R. Tuckers.	0.70	\$133.00	D														
12/22/04	Tucker	Revise memo; assignment conference with T. Feit	0.80	\$408.00	D														
12/22/04	Stewart	Review email from R. Tucker regarding Zoning Appeal; forward copy of Zoning Decision to J. Snyder	0.30	\$57.00	D														
12/23/04	Snyder	SCRIB research to obtain information on a Norfolk Superior court filing for R. Tucker.	0.20	\$32.00	D														
12/23/04	Feit	Review documents related to mortgage and assignment of rents and leases; analyze rights of mortgagee pertaining to loss of value of collateral.	3.60	\$774.00	D														
01/03/05	Feit	Analyze deal documents; determine strategy and basis for pursuing claims against guarantors.	1.60	\$376.00	D														
01/03/05	Nolan	Attention to guaranty interpretation	0.20	\$102.00	D														
01/03/05	Tucker	Memo re provisions in loan documents; assignment conference with T. Feit	3.20	\$1,744.00	D														
01/03/05	Stewart	Forward copy of recorded Decision to R. Tucker	0.10	\$54.50	D														
01/04/05	Feit	Analyze transaction documents; determine strongest basis for claim against guarantor	1.40	\$329.00	D														
01/04/05	Tucker	Review loan documents; memo re search for complaint; assignment conference with T. Feit.	2.00	\$1,090.00	D														
01/04/05	Feit	(redacted) review of complaint relating to alleged settlement.	1.20	\$282.00	D														
01/05/05	Williams	Traveled to Norfolk superior court to copy court files	3.60	\$630.00	D														
01/06/05	Stewart	Correspondence with B. Barnett regarding foreclosure document recording	0.10	\$21.00	D														
01/10/05	Tucker	Email J. Polcari; review decision of planning board and complaint	0.80	\$436.00	D														
01/11/05	Feit	Draft memorandum re: claims against guarantors of mortgage	0.50	\$117.50	D														
01/11/05	Stewart	Conference with Feit re foreclosure documents; correspondence with D. Buczkowski at Chicago Title regarding publication of Notice of Sale issue; forward original publication to d. Buczkowski for recording.	0.60	\$126.00	D														
01/12/05	Feit	Conference with R. Tucker regarding basis for claims against guarantors of mortgage and possible defenses.	0.30	\$70.50	D														
01/12/05	Tucker	Review documents; review Complaint; (redacted)	1.80	\$981.00	D														
01/12/05	Howell	Mortgage and guaranty analysis	0.40	\$172.00	D														
01/13/05	Feit	Research and draft memo describing possible claims against mortgage guarantors; draft memo of fact (redacted).	1.80	\$963.50	D														
01/13/05	Tucker	Attention to potential claims against Borrower; telephone conference and memo to J. Polcari; review memo (redacted)	1.90	\$1,035.50	D														
01/14/05	Feit	Telephone conference with J. polcari regarding possible claims against guarantors of mortgage.	0.90	\$211.50	D														
01/14/05	Feit	Research and draft memo describing possible claims against guarantors of mortgage.	1.30	\$305.50	D														
01/14/05	Tucker	Telephone conference with J. Polcari reclaims again borrower; review documents in preparation; email J. Polcari; assignment conference with T. Feit.	3.40	\$1,853.00	D														
01/14/05	Stewart	Receive recording information on foreclosure documents from title company, forward same to B. Barnett.	0.20	\$42.00	D														
01/17/05	Feit	Draft memorandum setting out possible claims against mortgage guarantors.	0.70	\$164.50	D														
01/18/05	Feit	Draft memorandum re: claims against guarantors and borrower arising from settlement of special permit appeal by borrower.	1.20	\$282.00	D														

KEY:

B=

Block Billing, Vague

C=

Clerical, Administrative or data entry.

D=

Duplicative or Excessive

I=

Insufficient detail/Not identifiably related to matter

O=

Overbilling, Senior or Multiple Staffing

T=

No Corresponding Time Entry

U=

Unrecoverable Overhead

EXHIBIT C

01/18/05	Tucker	Letter from M. Carballo; review pleading; assignment conference with T. Feit	1.10	\$599.50	D										
01/19/05	Feit	Draft memorandum summarizing relevant facts and analyzing possible claims against guarantors and borrower arising from settlement of special permit appeal by borrower.	5.80	\$1,363.00	D										
01/19/05	Tucker	Revise memo re contract provisions; telephone conference with J. Polcari	1.40	\$763.00	D										
01/20/05	Feit	Draft memorandum summarizing relevant facts and analyzing possible claims against guarantors and borrower arising from settlement of special permit appeal by borrower.	4.50	\$1,057.50	D										
01/20/05	Tucker	Memo to M. Carballo; (redacted) draft letter to M. Carballo; (redacted).	3.00	\$1,635.00	D										
01/21/05	Feit	Prepare memorandum and related documents describing possible claims against mortgagee and guarantors of mortgage for M. Carballo.	3.00	\$705.00	D										
01/21/05	Tucker	(redacted) review Complaint and Answer	1.50	\$817.50	D										
01/22/05	Tucker	(redacted) review Agreement	0.40	\$218.00	D										
01/24/05	Tucker	Telephone conference with M. Carballo; telephone conference with J. Polcari; (redacted)	1.60	\$872.00	D										
01/25/05	Tucker	(redacted) review Complaint.	1.20	\$654.00	D										
01/26/05	Feit	C. with G. Bialecki and R. Tucker regarding strategy for pursuing claims against mortgagor and guarantors of mortgage.	1.20	\$282.00	D										
01/26/05	Tucker	Review cash management agreement provisions; (redacted)	1.20	\$654.00	D										
01/26/05	Bialecki	Review of memorandum regarding recovery of settlement proceeds; meeting with R. Tucker, T. Feit.	1.60	\$840.00	D										
01/28/05	Tucker	Telephone conference with J. Polcari re Cash Management agreement; review Cash Management Agreement	1.40	\$763.00	D										
01/31/05	Feit	Review cash management agreement; analyze viability of claims based on mishandling of funds.	1.40	\$329.00	D					KEY:					
02/01/05	Tucker	Email from and to J. Polcari re cash management agreement; review cash management agreement.	1.40	\$763.00	D					B=	Block Billing, Vague				
02/16/05	Barnett	Legal research re removal	0.40	\$134.00	D					C=	Clerical, Administrative or data entry.				
02/17/05	Barnett	Analyze complaint allegations and theories	3.90	\$1,306.50	D					D=	Duplicative or Excessive				
02/18/05	Tucker	Review complaint and loan documentation; revise memo re summary of claims.	3.20	\$1,744.00	D					I=	Insufficient detail/Not identifiably related to matter				
02/22/05	Nolan	Review complaint and loan documents; review lock box deposits and disbursements.	1.10	\$561.00	D					O=	Overbilling, Senior or Multiple Staffing				
02/22/05	Tucker	Review documents; telephone conference with J. Polcari re Wells Fargo; memo re loan documents; review correspondence from borrower re leasing escrow; assignment conference with B. Barnett.	3.70	\$2,016.50	D					T=	No Corresponding Time Entry				
02/22/05	Barnett	Analyze allegations and theories of complaint	1.50	\$502.50	D					U=	Unrecoverable Overhead				
02/23/05	Nolan	Review loan document provisions and correspondence.	1.70	\$867.00	D										
02/23/05	Tucker	Review complaint and loan documents.	3.20	\$1,744.00	D										
02/23/05	Feit	Research removability of borrower's complaint from state court to federal court; draft email to client requesting factual information in connection with same.	7.00	\$1,645.00	D										
02/24/05	Tucker	Prepare for conference call with client; email T. Feit; attention to removal timing and date of service; email J. Polcari re Wells Fargo; review complaint.	3.00	\$1,635.00	D										
02/25/05	Snyder	SCRIB research to retrieve one Norfolk Superior Court docket for R. Tucker.	0.20	\$34.00	D										
02/25/05	Feit	Research removability of borrower's state court complaint to federal court; research compulsory counterclaims in connection with same; conference call with M. Carballo, J. Polcari, E. Tucker and B. Barnett concerning same.	6.30	\$1,480.50	D										
02/25/05	Tucker	Conference call with M. Carballo and J. Polcari re complaint and removal; review removal options and counterclaims; prepare for conference call; assignment conference with B. Barnett and T. Feit.	4.60	\$2,507.00	D										
02/25/05	Barnett	Prepare for an hold telephone conference with M. Carballo J. Polcari, S. Rutman re lawsuit.	1.80	\$603.00	D										

EXHIBIT C

02/28/05	Feit	Research removability of state court action to federal court; prepare documents necessary for notice of removal.	1.90	\$446.50	D														
03/02/05	Tucker	Telephone conference with K. Goldberg; telephone conference with M. Caraballo; telephone conference with T. Nealon; assignment conference with B. Barnett re Wells Fargo; review complaint re CSFB; email re CSFB representation and removal.	3.40	\$1,853.00	D														
03/07/05	Barnett	Legal Research re removal; conference with R. Tucker re. strategy	1.50	\$502.50	D														
03/08/05	Tucker	Email J. Rubin; prepare for removal	1.20	\$654.00	D														
03/08/05	Barnett	Legal research re removability	1.70	\$569.50	D														
03/10/05	Feit	Research law re removal of state court action to federal court based on diversity jurisdiction.	1.40	\$2,115.00	D														
03/10/05	Tucker	Telephone conference with M. Caraballo; letter to P. McGlynn re extension of time; telephone conference with J. Huffman (2) re entity; review documents re nominee trust and partnership entities; attention to answer, counterclaim and removal.	2.80	\$1,526.00	D														
03/11/05	Tucker	Attention to removal, entities, review memo re successive removal; email J. Huffman re CSFB; email J. Polcari; attention to extension; assignment conference with B. Barnett	3.30	\$1,798.50	D														
03/14/05	Feit	Draft Notice of Removal	3.70	\$869.50	D														
03/14/05	Tucker	Review defenses to complaint; attention to citizenship of entities; telephone conference with J. Huffman.	2.10	\$1,144.50	D														
03/14/05	Barnett	legal and fact research re removability; conference with T. re same.	1.00	\$335.00	D														
03/15/05	Barnett	Review, revise Notice of Removal, Notice of Filing of Notice of Removal.	2.70	\$904.50	D														
03/15/05	Feit	Draft Notice of Removal	1.90	\$446.50	D														
03/16/05	Feit	Research status of nominee trusts under Massachusetts law.	1.20	\$282.00	D														
03/17/05	Tucker	Review petition; telephone conference with M. Carballo(2); telephone conference with J. Huffman; assignment conference with B. Barnett re Wells Fargo email. (N.B. "petition" is presumptively the removal petition)	3.20	\$1,744.00	D														
03/17/05	Barnett	Attention to removal of case to federal court.	1.70	\$569.50	D														
03/18/05	Tucker	Attention to corporate disclosure; email J. Schampier re corporate disclosure; email D. Winston re removal.	1.50	\$817.50	D														
03/19/05	Barnett	Review pooling and servicing agreement re role of CSFB entities; draft memorandum re same.	2.50	\$837.50	D														
09/09/05	Barnett	Prepare written discovery requests.	1.30	\$435.50	D														
09/29/05	Barnett	E-mail memorandum re. discovery issues.	0.30	\$100.50	D														
10/10/05	Barnett	Prepare responses to written discovery requests; conferences with B. Falby and T. Feit re. same.	1.70	\$569.50	D														
10/13/05	Barnett	Review PSA re. Servicer's obligations; prepare responses to written discovery.	3.70	\$1,239.50	D														
10/14/05	Barnett	Prepare for, hold conference re. case strategy; discovery responses; review client documents.	3.20	\$1,072.00	D														
10/19/05	Barnett	Research, draft responses to written discovery.	2.80	\$938.00	D														
10/21/05	Barnett	Draft written discovery responses.	2.00	\$670.00	D														
10/22/05	Barnett	Research, draft written discovery responses.	3.30	\$1,105.50	D														
11/04/05	Barnett	Draft, revise written discovery; manage document production; telephone conference with M. Swisher re. discovery.	3.20	\$1,072.00	D														
11/09/05	Barnett	Revise answers to written discovery; numerous telephone calls and e-mail memoranda with opposing counsel to negotiate substitution of parties; e-mail memoranda to CSFB re. discovery issues; manage document production.	2.20	\$737.00	D														
11/21/05	Barnett	Review, revise motion to compel and memorandum of law in support, confidentiality stipulation; draft e-mail memorandum re. same.	1.10	\$368.50	D														
11/03/05	Falby	Review interrogatories; attention to discovery; conference with B. Barnett regarding discovery; leave message with opposing counsel.	2.50	\$1,300.00	D														
09/13/05	Falby	Review and revise discovery requests; conference with B. Barnett and T. Feit regarding same.	2.50	\$1,300.00	D														

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EXHIBIT C

09/14/05	Falby	Revise discovery requests; conference with B. Barnett and T. Feit regarding same.	1.30	\$676.00	D														
10/10/05	Falby	Conference with B. Barnett regarding discovery.	0.20	\$104.00	D														
10/12/05	Falby	Conference with T. Feit regarding discovery responses; telephone call to P. McGlynn regarding extension of time.	1.00	\$520.00	D														
10/14/05	Falby	Conference with B. Barnett, et al. regarding discovery.	1.50	\$780.00	D														
10/25/05	Falby	Conference with B. Barnett and T. Feit regarding discovery responses; attention to substitution of parties.	1.50	\$780.00	D														
11/08/05	Falby	Conferences with B. Barnett regarding discovery and dismissal of depositor.	1.00	\$520.00	D														
11/10/05	Falby	Attention to discovery issues and dismissal of depositor.	0.30	\$156.00	D														
11/11/05	Falby	Revise document responses.	0.30	\$156.00	D														
11/22/05	Falby	Revise confidentiality stipulation; review and edit motion to compel; telephone conferences with T. Feit regarding same and mediation.	1.60	\$832.00	D														
11/23/05	Falby	Convert confidentiality order to stipulation; telephone conference with M. Carballo; e-mails and telephone conferences with M. Swisher and P. McGlynn regarding mediators; motion to compel, schedule; e-mails to E. Tucker.	2.00	\$1,040.00	D														
10/12/05	Feit	Draft responses to document requests and interrogatories.	3.90	\$916.50	D														
10/14/05	Feit	Conference with B. Falby, B. Barnett, R. Tucker concerning responses to discovery requests.	1.40	\$329.00	D														
11/02/05	Feit	Draft responses to interrogatories.	1.20	\$282.00	D														
11/04/05	Feit	Review and revise draft interrogatory responses.	2.00	\$470.00	D														
11/07/05	Feit	Review and revise draft interrogatory responses.	0.40	\$94.00	D														
11/14/05	Feit	Review discovery responses.	0.40	\$94.00	D														
09/12/05	Tucker	E-mail and telephone conference with J. Polcari re. 1099 and discovery; telephone conference with A. Cohn; e-mail to M. Carballo and J. Huffman re. discovery; revise discovery requests; memo re. discovery topics; assignment conference with T. Feit.	3.40	\$1,853.00	D														
09/13/05	Tucker	Attention to discovery; telephone conference with A. Cohn; e-mail A. Cohn.	1.20	\$654.00	D														
09/29/05	Tucker	Attention to responses to discovery.	0.80	\$436.00	D														
10/13/05	Tucker	E-mail from/to M. Carballo re. document discovery; review discovery order and requests.	1.70	\$926.50	D														
10/14/05	Tucker	Conference re. discovery responses; assignment conference with B. Barnett.	1.00	\$545.00	D														
10/24/05	Tucker	Review e-mail; e-mail B. Barnett re. trust file; attention to discovery.	0.40	\$218.00	D														
10/28/05	Tucker	Review draft interrogatory answers.	1.10	\$599.50	D														
11/03/05	Tucker	Review answers to interrogatories; revise answers to interrogatories; confer with B. Falby re. P. McGlynn.	0.80	\$436.00	D														
11/08/05	Tucker	Write memo re. interrogatory answers; e-mail M. Carballo.	0.90	\$490.50	D														
03/15/06	Barnett	Prepare for Needle deposition; conferences with B. Falby, T. Feit re. Damages discovery; file management	5.30	\$2,120.00	D														
03/14/06	Barnett	Telephone conference with J. Polcari re. Depositions; conference with t. Feit re. Damages documents	0.70	\$280.00	D														
03/30/06	Barnett	Fact research re borrower financial statements; work with experts re reports; conferences with B. Falby re same; letters to witnesses re deposition transcripts	3.90	\$1,560.00	D														
03/31/06	Barnett	Work with experts on reports	3.60	\$1,440.00	D														
04/03/06	Barnett	Review materials re rebuttal expert candidates; telephone conference with J. Warsaw re deposition transcript	2.40	\$960.00	D														
04/05/06	Barnett	Conference with B. Falby, t. Feit re Fineberg deposition; telephone conference with M. Linsk re same and re expert report; telephone conference with V. Nahn re. Discovery issues	2.40	\$960.00	D														
04/10/06	Barnett	Telephone conferences REDACTED re discovery issues; telephone conferences with FTI consulting re rebuttal reports	1.70	\$680.00	D														
04/25/06	Barnett	Prepare for Gartrell and Andelman expert depositions; follow up to Andelman deposition	2.50	\$1,000.00	D														

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EXHIBIT C

04/28/06	Barnett	Prepare for Clarke deposition; fact research, document review re same; review expert transcripts; attention to errata sheets; letter to M. Swisher re same; letter to J. Rubino re same; letter to J. Rubino re same; email memorandum to Wells Fargo re phone	2.60	\$1,040.00	D									
03/14/06	Falby	Telephone conference with E. Stotz; revise W. Langelier deposition summary; conference with T. Feit regarding summary judgment; attention to package of materials to C. Poutasse; telephone conference with J. Rubino; attention to attorneys' fees subpoena se	4.00	\$2,260.00	D									
03/21/06	Falby	Telephone conference with C. Poutasse regarding expert opinions; telephone conferences with P. McGlynn regarding scheduling; draft letter to P McGlynn; conference with T. Feit regarding discovery issues and regarding motion to amend	2.50	\$1,412.50	D									
03/22/06	Falby	Attention to scheduling; review materials for C. Poutasse;; conference with T. Feit regarding discovery and amended counterclaim; review motion to amend; review motion to impound	3.00	\$1,695.00	D									
03/30/06	Falby	Prepare for call with C. Poutasse; telephone conference with C. Poutasse; review E. Stotz draft report; telephone conference with B. Barnett regarding Blue Hills Financial Statements and E. Stotz report	3.10	\$1,751.50	D									
04/11/06	Falby	Review and comment on Greenspan's draft report; telephone conference with Greenspan regarding same; review E. Stotz rebuttal report	2.20	\$1,243.00	D									
04/13/06	Falby	Review court order; telephone conference with M. Carballo regarding same; conference with T. Feit regarding summary judgment in light of order; conference with B. Barnett regarding expert rebuttal	2.00	\$1,130.00	D									
04/17/06	Falby	Draft letter to P. McGlynn; conference with T. Feit regarding conference with T. Feit regarding motion to preclude expert testimony; leave message with E. Stotz; prepare for expert depositions	1.00	\$565.00	D									
04/19/06	Falby	Prepare for K. Gartrell deposition; prepare for E. Stotz deposition; draft letter to M. Swisher; telephone conferences with C. Poutasse, E. Stotz	2.50	\$1,412.50	D									
03/14/06	Feit	Assist with preparation for deposition of J. Rubino	11.10	\$3,330.00	D									
03/15/06	Feit	Assist with preparation for depositions of J. Rubino, L. Needle, G. Fineberg and K. Goldberg	11.60	\$3,480.00	D									
03/16/06	Feit	Review discovery responses for adequacy; research and draft motion to quash subpoena and for protective order and memorandum in support thereof.	10.60	\$3,180.00	D									
03/17/06	Feit	Prepare for depositions of G. Fineberg and K. Goldberg	4.40	\$1,320.00	D									
04/14/06	Feit	Assist with preparation for depositions of expert witnesses	0.90	\$270.00	D									
03/16/06	Gould	Prepare for Needle deposition	2.00	\$190.00	D									
03/17/06	Gould	Deposition preparation for Fineberg and Langelier	3.00	\$285.00	D									
03/20/06	Gould	Prepare for Fineberg deposition	2.00	\$190.00	D									
03/31/06	Gould	Create and update Blue Hills deposition review chart	1.00	\$95.00	D									
04/11/06	Gould	Research for expert rebuttals and expert depositions; update deposition exhibits binders	3.50	\$332.50	D									
04/12/06	Gould	Organize and research expert testimonies and prior reports; prepare documents to be scanned onto Concordance	3.00	\$285.00	D									
04/19/06	Gould	Locate and obtain Robert Clark's cases testified in and articles in preparation for deposition	2.00	\$190.00	D									
04/05/06	Yavin	Prepare for the upcoming depositions; update and manage the deposition exhibit and transcript files; update and manage the document production files	3.40	\$578.00	D									
04/06/06	Yavin	Prepare for the Goldberg deposition; update and manage the case files	3.20		D									
04/19/06	Yavin	Prepare for the expert depositions; review and update exhibit files; receive and review new documents produced; gather errata sheets for witnesses	2.80	\$476.00	D									
05/03/06	Barnett	Conference with B. Falby, t. Feit re summary judgment preparation; preparations for Greenspan deposition; review, revise statement of facts for summary judgment brief; letter t M. Swisher re deposition transcript	3.20	\$1,280.00	D									

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05/18/06	Barnett	Review Blue Hills' summary judgment filings; follow up to our filings; attention to expert witness errata sheets; arrange exchange of statements of facts with Bernkopf Goodman	1.60	\$640.00	D									
06/11/06	Barnett	Email memoranda re summary judgment reply briefs	0.40	\$160.00	D									
06/13/06	Barnett	Summary judgment reply follow up; telephone conference with clerk, M. Swisher re corrected statement of facts; review Blue Hills' reply filings	1.50	\$600.00	D									
06/22/06	Barnett	Conference with T. Feit re summary judgment follow up, including verifying Blue Hills corrected statement of facts, motion to strike deposition errata sheet; file management	0.80	\$320.00	D									
07/11/06	Barnett	Prepare for summary judgment hearing	1.40	\$560.00	D									
07/12/06	Barnett	Prepare for summary judgment hearing	2.30	\$920.00	D									
05/12/06	Core	Research in support of motion for summary judgment	3.60	\$1,080.00	D									
05/13/06	Core	Research and writing for summary judgment motion	4.30	\$1,290.00	D									
06/09/06	Core	Review opposition; review cases; draft new paragraph re tax damages; research REDACTED research	3.60	\$1,080.00	D									
05/09/06	Falby	Review summary judgment drafts; comment on same	1.00	\$565.00	D									
05/10/06	Falby	Conferences with T. Feit, B. Barnett, L. Core regarding summary judgment brief; review and revise memorandum and facts.	3.00	\$1,695.00	D									
05/11/06	Falby	Review and revise summary judgment facts and brief	2.00	\$1,130.00	D									
05/12/06	Falby	Revisions to summary judgment brief	4.40	\$2,486.00	D									
05/19/06	Falby	Conference with N. Yavin regarding judge's courtesy copy; review Blue Hills' summary judgment filing; emails to client	1.60	\$904.00	D									
05/26/06	Falby	Telephone conference REDACTED conferences with B. Barnett and T. Feit regarding summary judgment opposition	2.20	\$1,243.00	D									
06/12/06	Falby	Review and revise reply briefs	3.50	\$1,977.50	D									
06/13/06	Falby	Review Blue Hills reply brief; conference with J. Moran regarding motion to strike errata sheet	0.40	\$226.00	D									

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EXHIBIT D

DUPLICATE AND EXCESSIVE ENTRIES FOR REMOVAL PETITION						
DATE	TIMEKEEPER	DESCRIPTION	TIME	AMOUNT BILLED		
02/16/05	Barnett	Legal research re removal	0.40	\$134.00		
02/23/05	Feit	Research removability of borrower's complaint from state court to federal court; draft email to client requesting factual information in connection with same.	7.00	\$1,645.00		
02/24/05	Tucker	Prepare for conference call with client; email T. Feit; attention to removal timing and date of service; email J. Polcari re Wells Fargo; review complaint.	3.00	\$1,635.00		
02/25/05	Feit	Research removability of borrower's state court complaint to federal court; research compulsory counterclaims in connection with same; conference call with M. Carballo, J. Polcari, E. Tucker and B. Barnett concerning same.	6.30	\$1,480.50		
02/25/05	Tucker	Conference call with M. Carballo and J. Polcari re complaint and removal ; review removal options and counterclaims; prepare for conference call; assignment conference with B. Barnett and T. Feit	4.60	\$2,507.00		
02/28/05	Feit	Research removability of state court action to federal court; prepare documents necessary for notice of removal.	1.90	\$446.50		
03/01/05	Tucker	Email J. Huffman; telephone conference with J. Huffman; telephone conference with J. Schampier; attention to conflicts and removal jurisdiction; assignment conference with B. Barnett re Wells Fargo.	1.80	\$981.00		
03/02/05	Tucker	Telephone conference with K. Goldberg; telephone conference with M. Caraballo; telephone conference with T. Nealon; assignment conference with B. Barnett re Wells Fargo ; review complaint re CSFB; email re CSFB representation and removal.	3.40	\$1,853.00		
03/04/05	Tucker	Attention to removal entities	1.90	\$1,035.50		
03/07/05	Barnett	Legal Research re removal ; conference with R. Tucker re. strategy	1.50	\$502.50		
03/08/05	Barnett	Legal research re removability	1.70	\$569.50		
03/08/05	Tucker	Email J. Rubin; prepare for removal	1.20	\$654.00		
03/09/05	Barnett	Legal research re removability to federal court.	4.70	\$1,574.50		
03/10/05	Barnett	Review borrower formation documents ; legal research re removal ; conference with R. Tucker, T. Feit re removal , answer strategy.	6.60	\$2,211.00		
03/10/05	Feit	Research law re removal of state court action to federal court based on diversity jurisdiction.	1.40	\$1,551.00		
03/10/05	Tucker	Telephone conference with M. Caraballo; letter to P. McGlynn re extension of time; telephone conference with J. Huffman (2) re entity ; review documents re nominee trust and partnership entities ; attention to answer, counterclaim and removal.	2.80	\$1,526.00		
03/11/05	Tucker	Attention to removal, entities, review memo re successive removal email J. Huffman re CSFB; email J. Polcari; attention to extension; assignment conference with B. Barnett	3.30	\$1,798.50		
03/11/05	Tucker	Attention to removal ;	3.10	\$1,689.50		
03/14/05	Barnett	legal and fact research re removability , conference with T. re same.	1.00	\$335.00		
03/14/05	Feit	Draft Notice of Removal	3.70	\$869.50		
03/14/05	Tucker	Review defenses to complaint; attention to citizenship of entities ; telephone conference with J. Huffman.	2.10	\$1,144.50		
03/15/05	Barnett	Review, revise Notice of Removal, Notice of Filing of Notice of Removal.	2.70	\$904.50		
03/15/05	Feit	Draft Notice of Removal	1.90	\$446.50		
03/15/05	Tucker	Review and revise removal petition; telephone conference with J. Huffman; telephone conference with M. Caraballo; email K. Goldberg re extension; review counterclaim; attention to payment of auctioneer	3.20	\$1,744.00		

EXHIBIT D

[illegible]

EXHIBIT E

DUPLICATIVE AND EXCESSIVE BILLING DISCOVERY - PHASE ONE					
DATE	TIMEKEEPER	DESCRIPTION	TIME	AMOUNT BILLED	
09/09/05	Barnett	Prepare written discovery requests.	1.30	\$435.50	
09/09/05	Feit	Draft interrogatories, requests for production and requests for admissions.	4.90	\$1,151.50	
09/12/05	Feit	Draft interrogatories, requests for production and requests for admissions.	6.50	\$1,527.50	
09/12/05	Tucker	E-mail and telephone conference with J. Polcari re. 1099 and discovery; telephone conference with A. Cohn; e-mail to M. Carballo and J. Huffman re. discovery; revise discovery requests; memo re. discovery topics; assignment conference with T. Feit.	3.40	\$1,853.00	
09/13/05	Barnett	Review, revise draft written discovery.	4.70	\$1,574.50	
09/13/05	Falby	Review and revise discovery requests; conference with B. Barnett and T. Feit regarding same.	2.50	\$1,300.00	
09/13/05	Feit	Draft interrogatories, requests for production and requests for admissions.	7.60	\$1,786.00	
09/13/05	Tucker	Attention to discovery; telephone conference with A. Cohn; e-mail A. Cohn.	1.20	\$654.00	
09/14/05	Falby	Revise discovery requests; conference with B. Barnett and T. Feit regarding same.	1.30	\$676.00	
09/14/05	Feit	Draft interrogatories, requests for production and requests for admissions.	4.20	\$987.00	
09/29/05	Barnett	E-mail memorandum re. discovery issues.	0.30	\$100.50	
09/29/05	Tucker	Attention to responses to discovery.	0.80	\$436.00	
10/10/05	Barnett	Prepare responses to written discovery requests; conferences with B. Falby and T. Feit re. same.	1.70	\$569.50	
10/10/05	Falby	Conference with B. Barnett regarding discovery.	0.20	\$104.00	
10/12/05	Falby	Conference with T. Feit regarding discovery responses; telephone call to P. McGlynn regarding extension of time.	1.00	\$520.00	
10/12/05	Feit	Draft responses to document requests and interrogatories.	3.90	\$916.50	
10/13/05	Barnett	Review PSA re. Servicer's obligations; prepare responses to written discovery.	3.70	\$1,239.50	
10/13/05	Tucker	E-mail from/to M. Carballo re. document discovery; review discovery order and requests.	1.70	\$926.50	
10/14/05	Barnett	Prepare for, hold conference re. case strategy; discovery responses; review client documents.	3.20	\$1,072.00	
10/14/05	Falby	Conference with B. Barnett, et al. regarding discovery.	1.50	\$780.00	
10/14/05	Feit	Conference with B. Falby, B. Barnett, R. Tucker concerning responses to discovery requests.	1.40	\$329.00	
10/14/05	Tucker	Conference re. discovery responses; assignment conference with B. Barnett.	1.00	\$545.00	
10/18/05	Barnett	Review client documents; draft chronology; draft responses to discovery requests; telephone conference with M. O'Neill/WF re. discovery.	5.50	\$1,842.50	
10/19/05	Barnett	Research, draft responses to written discovery.	2.80	\$938.00	
10/19/05	Feit	Draft responses to interrogatories.	4.60	\$1,081.00	
10/20/05	Barnett	Research, draft written discovery.	4.50	\$1,507.50	
10/21/05	Barnett	Draft written discovery responses.	2.00	\$670.00	
10/22/05	Barnett	Research, draft written discovery responses.	3.30	\$1,105.50	
10/24/05	Barnett	Draft responses to written discovery; fact research and document review re. same; telephone conferences and e-mail correspondence with J. Polcari, J. Berry re. e-mail production.	9.10	\$3,048.50	
10/24/05	Tucker	Review e-mail; e-mail B. Barnett re. trust file; attention to discovery.	0.40	\$218.00	
10/25/05	Falby	Conference with B. Barnett and T. Feit regarding discovery responses; attention to substitution of parties.	1.50	\$780.00	
10/27/05	Barnett	Draft responses to written discovery; review documents; telephone conference with A. Pagaduan re. electronic discovery issues; telephone calls and e-mail memorandum to J. Huffman, J. Champier re. discovery issues; telephone conference with J. Arakiki re.	9.30	\$3,115.50	
10/28/05	Tucker	Review draft interrogatory answers.	1.10	\$599.50	
10/31/05	Barnett	Draft written discovery responses; telephone conferences and e-mail memoranda to J. Polcari, J. Warshaw, R. Rosen; review documents; telephone conference with J. Champier re. CSFB documents.	6.40	\$2,144.00	
11/01/05	Barnett	Draft and revise responses to written discovery; telephone conferences with J. Warshaw, J. Polcari, R. Rosen re. matter, answers to interrogatories; review documents; e-mail memoranda to client re. CSFB e-mails.	12.10	\$2,843.50	
11/02/05	Barnett	Review documents; revise responses to written discovery; manage document production; e-mail memoranda re. CSFB e-mails.	9.10	\$3,048.50	
11/02/05	Feit	Draft responses to interrogatories.	1.20	\$282.00	
11/03/05	Barnett	Draft and revise written discovery responses; review documents; manage document production; conferences with T. Feit, R. Tucker; B. Falby re. discovery responses, case alignment; e-mail memoranda to clients re. answers to interrogatories; telephone confer	13.30	\$4,455.50	
11/03/05	Falby	Review interrogatories; attention to discovery; conference with B. Barnett regarding discovery; leave message with opposing counsel.	2.50	\$1,300.00	

EXHIBIT E

11/03/05	Tucker	Review answers to interrogatories; revise answers to interrogatories; confer with B. Falby re. P. McGlynn.	0.80	\$436.00		
11/04/05	Barnett	Draft, revise written discovery; manage document production; telephone conference with M. Swisher re. discovery.	3.20	\$1,072.00		
11/04/05	Feit	Review and revise draft interrogatory responses.	2.00	\$470.00		
11/07/05	Feit	Review and revise draft interrogatory responses.	0.40	\$94.00		
11/08/05	Falby	Conferences with B. Barnett regarding discovery and dismissal of depositor.	1.00	\$520.00		
11/08/05	Tucker	Write memo re. interrogatory answers; e-mail M. Carballo.	0.90	\$490.50		
11/09/05	Barnett	Revise answers to written discovery; numerous telephone calls and e-mail memoranda with opposing counsel to negotiate substitution of parties; e-mail memoranda to CSFB re. discovery issues; manage document production.	2.20	\$737.00		
11/10/05	Barnett	Telephone conferences with M. Swisher, clients re. substitution of parties; review and revise draft pleadings re. motion to dismiss and amend; draft Trustee's Answers to Interrogatories and Responses to Request for Document; revise other discovery responses	4.50	\$1,507.50		
11/10/05	Falby	Attention to discovery issues and dismissal of depositor.	0.30	\$156.00		
11/11/05	Barnett	Revise written discovery responses; telephone conference with J. Polcari re. Answers to Interrogatories; telephone conferences with M. Swisher re. motion to dismiss and to amend.	5.60	\$1,876.00		
11/11/05	Falby	Revise document responses.	0.30	\$156.00		
11/14/05	Feit	Review discovery responses.	0.40	\$94.00		
11/18/05	Barnett	Review discovery responses served by plaintiffs; draft subpoenas to third parties; review documents for production; conference with B. Falby re. mediation and discovery strategy.	4.70	\$1,574.50		
11/21/05	Barnett	Review, revise motion to compel and memorandum of law in support, confidentiality stipulation; draft e-mail memorandum re. same.	1.10	\$368.50		
11/21/05	Feit	Conference with P. McGlynn and M. Swisher concerning discovery responses; draft motion to compel discovery responses and memorandum in support thereof; draft subpoenas and confidentiality agreement covering discovery responses.	10.10	\$2,373.50		
11/22/05	Falby	Revise confidentiality stipulation; review and edit motion to compel; telephone conferences with T. Feit regarding same and mediation.	1.60	\$832.00		
11/22/05	Feit	Draft third-party subpoenas; research and draft motion to compel and memorandum in support of motion to compel; confer with opposing counsel regarding same and regarding selection of mediator.	4.00	\$940.00		
11/23/05	Falby	Convert confidentiality order to stipulation; telephone conference with M. Carballo; e-mails and telephone conferences with M. Swisher and P. McGlynn regarding mediators; motion to compel, schedule; e-mails to E. Tucker.	2.00	\$1,040.00		
10/25/06	Barnett	Draft responses to written discovery; coordinate document production; review client documents; conference re. discovery issues with B. Falby, T. Feit, N. Yavin; memorandum to B. Falby re. Depositor, assignments of mortgage.	7.20	\$2,412.00		
10/26/06	Barnett	Draft responses to written discovery; review documents and prepare for production, including privilege review; telephone conference with J. Arakaki/Wells Fargo; e-mail memorandum to M. Carballo re. discovery; e-mail memorandum to J. Huffman re. discovery	9.90	\$3,316.50		
		Subtotal Phase I Discovery	208.90	\$68,929.00		

EXHIBIT F

DUPLICATIVE AND EXCESSIVE BILLING - DISCOVERY PHASE II					
02/08/06	Yavin	Prepare materials to be reviewed and used for upcoming depositions; update the witness files; update and manage the document production files	4.40	\$748.00	
02/09/06	Yavin	Provide documents during G. Stone deposition; receive and review draft of G. Stone deposition transcript; compile documents for upcoming depositions; update and manage the case files	5.20	\$884.00	
02/10/06	Barnett	Prepare for Donovan deposition	8.60	\$3,440.00	
02/10/06	Falby	Prepare for Donovan deposition	2.00	\$565.00	
02/12/06	Falby	Prepare for Donovan deposition	4.00	\$2,260.00	
02/13/06	Barnett	Prepare for Donovan deposition	4.10	\$1,640.00	
02/13/06	Falby	Prepare for Donovan deposition	4.70	\$2,655.50	
02/13/06	Gould	Organize key documents in preparation for weekly depositions; bates label WF documents	6.50	\$617.50	
02/22/06	Yavin	Compile and gather documents for the subject and chronology binders; prepare for the upcoming depositions; review recent Blue Hills documents produced; prepare documents to be scanned; confer with B. Falby, B. Barnett and T. Feit re The above	11.75	\$1,997.50	
02/23/06	Gould	Prepare depo prep material binders for upcoming depositions	7.50	\$712.50	
02/23/06	Yavin	Compile and gather documents for the subject and chronology binders; prepare for the J. Polcari deposition; review recent Blue Hills documents produced; prepare documents to be scanned	9.25	\$1,572.50	
02/24/06	Yavin	Compile and gather documents for the subject and chronology binders; prepare for the J. Polcari deposition; prepare and produce supplemental documents; review recent Blue Hills documents; communication with vendor re Scanning of the deposition exhibits	3.90	\$663.00	
03/06/06	Yavin	Prepare for the upcoming depositions; update and manage the document production files	2.70	\$459.00	
03/13/06	Barnett	Team meetings re. Discovery, summary judgment, expert strategy; research re. Plaintiff's damages claims; conference with M. Sheehan re. Tax losses; conference with B. Falby re. Same	5.40	\$2,160.00	
03/13/06	Yavin	Prepare for upcoming depositions; update and manage the document production and case files; prepare documents for production.	6.70	\$1,139.00	
03/14/06	Barnett	Telephone conference with J. Polcari re. Depositions; conference with t. Feit re. Damages documents	0.70	\$280.00	
03/14/06	Falby	Telephone conference with E. Stotz; revise W. Langelier deposition summary; conference with T. Feit regarding summary judgment; attention to package of materials to C. Poutasse; telephone conference with J. Rubino; attention to attorneys' fees subpoena	4.00	\$2,260.00	
03/14/06	Feit	Assist with preparation for deposition of J. Rubino	11.10	\$3,330.00	
03/15/06	Barnett	Prepare for Needle deposition; conferences with B. Falby, T. Feit re. Damages discovery; file management	5.30	\$2,120.00	
03/15/06	Falby	Telephone conference with E. Stotz regarding expert appraisal work; telephone conference with C. Poutasse regarding expert damages and accounting work; telephone conference with J. Rubino to prepare for deposition; draft response to P. McGlynn letter; att	6.00	\$3,390.00	
03/15/06	Feit	Assist with preparation for depositions of J. Rubino, L. Needle, G. Fineberg and K. Goldberg	11.60	\$3,480.00	
03/15/06	Gould	Prepare for Rubino deposition	6.00	\$570.00	
03/15/06	Yavin	Prepare for upcoming depositions; update and manage the document production files	9.50	\$1,615.00	
03/16/06	Barnett	Prepare for L. Needle deposition; telephone conference with B. Falby re. Same; research and assistance with preparation for J. Rubino deposition; telephone conferences with M. Swisher re. Deposition matters; numerous conferences with T. Feit, L. Core, N.	12.00	\$4,800.00	
03/16/06	Falby	Prepare J. Rubino for deposition in South Carolina; edit motion to quash subpoena regarding attorneys' fees documents; emails to T. Feit regarding same.	8.00	\$4,520.00	
03/16/06	Gould	Prepare for Needle deposition	2.00	\$190.00	
03/16/06	Yavin	Prepare for the upcoming depositions; update and manage the case files	8.20	\$1,394.00	
03/17/06	Barnett	Prepare for, take, follow-up to deposition of L. Needle; telephone conference with B. Falby re. Depositions of Needle, Rubino; conference with T. Feit re. Fineberg, Goldberg depositions, other discovery matters	10.10	\$4,040.00	
03/17/06	Falby	Defend J. Rubino deposition; telephone conference with B. Barnett regarding L. Needle deposition	8.00	\$4,520.00	
03/17/06	Feit	Prepare for depositions of G. Fineberg and K. Goldberg	4.40	\$1,320.00	
03/17/06	Gould	Deposition preparation for Fineberg and Langelier	3.00	\$285.00	
03/17/06	Yavin	Prepare for upcoming depositions; update and manage the document production files	6.25	\$1,062.50	

EXHIBIT F

03/19/06	Falby	Conference with T. Feit regarding documents for G. Fineberg deposition; prepare for G. Fineberg deposition	1.50	\$847.50	
03/20/06	Falby	Telephone conference with P. McGlynn regarding deposition scheduling and experts; draft letter to P. McGlynn regarding same; conference with E. Stotz regarding expert disclosure; draft letter to E. Stotz; prepare for G. Fineberg deposition	4.00	\$2,260.00	
03/20/06	Gould	Prepare for Fineberg deposition	2.00	\$190.00	
03/20/06	Yavin	Prepare for upcoming depositions; update and manage the case files	4.75	\$807.50	
03/21/06	Falby	Telephone conference with C. Poutasse regarding expert opinions; telephone conferences with P. McGlynn regarding scheduling; draft letter to P McGlynn; conference with T. Feit regarding discovery issues and regarding motion to amend	2.50	\$1,412.50	
03/22/06	Falby	Attention to scheduling; review materials for C. Poutasse;; conference with T. Feit regarding discovery and amended counterclaim; review motion to amend; review motion to impound	3.00	\$1,695.00	
03/23/06	Falby	Review measure of damages; attention to documents for C. Poutasse; telephone conference with C. Poutasse; draft and file emergency motion regarding G. Fineberg deposition; revise and file motion to impound motion to amend; emails to P. McGlynn regarding s	7.50	\$4,237.50	
03/27/06	Yavin	Update and manage the case files; prepare for upcoming depositions	1.90	\$323.00	
03/30/06	Barnett	Fact research re borrower financial statements; work with experts re reports; conferences with B. Falby re same; letters to witnesses re deposition transcripts	3.90	\$1,560.00	
03/30/06	Falby	Prepare for call with C. Poutasse; telephone conference with C. Poutasse; review E. Stotz draft report; telephone conference with B. Barnett regarding Blue Hills Financial Statements and E. Stotz report	3.10	\$1,751.50	
03/31/06	Barnett	Work with experts on reports	3.60	\$1,440.00	
03/31/06	Gould	Create and update Blue Hills deposition review chart	1.00	\$95.00	
04/01/06	Falby	Review expert reports; email to B. Barnett, T. Feit, N. Yavin regarding same; internet research on experts	4.00	\$2,260.00	
04/02/06	Falby	Conference with B. Barnett, T. Feit regarding experts; email to locate industry expert; revise G. Fineberg deposition outline	4.00	\$2,260.00	
04/03/06	Barnett	Review materials re rebuttal expert candidates; telephone conference with J. Warsaw re deposition transcript	2.40	\$960.00	
04/03/06	Falby	Telephone conferences, emails, phone calls to interview and select expert rebuttal witnesses; telephone conference with E. Stotz regarding Gartrell report	6.50	\$3,672.50	
04/03/06	Gould	Research for expert rebuttal and expert depositions; create/ organize deposition exhibit set of binders for experts; locate deposition transcripts to send to experts.	4.00	\$380.00	
04/04/06	Barnett	Telephone conference with rebuttal experts; review pooling and servicing agreement; fact research re loan statements; prepare for Fineberg deposition	6.20	\$2,480.00	
04/04/06	Falby	Telephone conferences with potential experts; conference with B. Barnett regarding same; telephone conference with C. Poutasse regarding expert rebuttal; prepare for G. Fineberg deposition	8.00	\$4,520.00	
04/05/06	Barnett	Conference with B. Falby, t. Feit re Fineberg deposition; telephone conference with M. Linsk re same and re expert report; telephone conference with V. Nahn re. Discovery issues	2.40	\$960.00	
04/05/06	Falby	Depose G. Fineberg; conference with B. Barnett regarding expert rebuttal; conference with T. Feit regarding legal research	8.00	\$4,520.00	
04/05/06	Yavin	Prepare for the upcoming depositions; update and manage the deposition exhibit and transcript files; update and manage the document production files	3.40	\$578.00	
04/06/06	Falby	Prepare for K. Goldberg deposition; telephone conference with FTI Consulting	5.10	\$2,881.50	
04/06/06	Gould	Research for expert rebuttal and expert depositions; update deposition exhibit binders and transcript binders; index Equiserve documents	5.00	\$475.00	
04/06/06	Yavin	Prepare for the Goldberg deposition; update and manage the case files	3.20		
04/07/06	Barnett	Preparation for Goldberg deposition; research re fact issues re Sturbridge experience; conference with B. Falby re same; telephone conference with R. Tucker, C. Brown re same; review documents from Wells Fargo; letters to witnesses re deposition transcrip	5.80	\$2,320.00	
04/07/06	Falby	Prepare for deposition; depose K. Goldberg; telephone conference with M. Carballo; leave message with E. Stotz; review cases regarding reliance on counsel defense	8.50	\$4,802.50	
04/10/06	Barnett	Telephone conferences REDACTED re discovery issues; telephone conferences with FTI consulting re rebuttal reports	1.70	\$680.00	

EXHIBIT F

04/10/06	Falby	Draft memorandum regarding K. Goldberg testimony; telephone conference with experts; email to P. McGlynn; conference with B. Barnett regarding Wells Fargo documents; conference with T. Feit regarding draft expert report by Greenspan; review same	4.00	\$2,260.00	
04/11/06	Falby	Review and comment on Greenspan's draft report; telephone conference with Greenspan regarding same; review E. Stotz rebuttal report	2.20	\$1,243.00	
04/11/06	Gould	Research for expert rebuttals and expert depositions; update deposition exhibits binders	3.50	\$332.50	
04/12/06	Barnett	Fact research for expert rebuttal reports; review deposition transcripts; work with experts on reports; conference with /b. Falby re same; telephone conference with B. Falby re same; telephone conference with M. Swisher re discovery issues; draft letter t	7.60	\$3,040.00	
04/12/06	Gould	Organize and research expert testimonies and prior reports; prepare documents to be scanned onto Concordance	3.00	\$285.00	
04/13/06	Falby	Review court order; telephone conference with M. Carballo regarding same; conference with T. Feit regarding summary judgment in light of order; conference with B. Barnett regarding expert rebuttal	2.00	\$1,130.00	
04/14/06	Barnett	Work with experts re rebuttal reports; including numerous extended conference calls, fact research	8.40	\$3,360.00	
04/14/06	Falby	Multiple telephone conferences with experts; review and comment on rebuttal expert reports; telephone conferences with M. Swisher; email regarding expert deposition schedule	6.80	\$3,842.00	
04/14/06	Feit	Assist with preparation for depositions of expert witnesses	0.90		
04/14/06	Yavin	Update the deposition schedule; update the Livenote transcript files; update and manage the case files; prepare for the expert depositions	4.70	\$799.00	
04/17/06	Falby	Draft letter to P. Mc Glynn; conference with T. Feit regarding conference with T. Feit regarding motion to preclude expert testimony; leave message with E. Stotz; prepare for expert depositions	1.00	\$565.00	
04/17/06	Feit	Research and draft memorandum in support of motion to exclude testimony of expert witness; research and draft memorandum in support of summary judgment motion	8.90	\$2,670.00	
04/17/06	Gould	Prepare for expert rebuttal/depositions; update exhibit binder	4.00	\$380.00	
04/17/06	Yavin	Send deposition exhibits to opposing counsel; update the expert and exhibit files; prepare and send exhibits to be scanned; prepare for the expert depositions	4.25	\$722.50	
04/18/06	Yavin	Prepare for the expert depositions; update and manage the case files	3.30	\$561.00	
04/19/06	Barnett	Prepare for expert depositions; telephone conferences with J. Polcari, R. Rosen re depositions; review Wells Fargo documents; telephone conference REDACTED conferences with B. Falby re discovery issues; analyze counterclaim damage; attention to deposition	6.90	\$2,760.00	
04/19/06	Falby	Prepare for K. Gartrell deposition; prepare for E. Stotz deposition; draft letter to M. Swisher; telephone conferences with C. Poutasse, E. Stotz	2.50	\$1,412.50	
04/19/06	Gould	Locate and obtain Robert Clark's cases testified in and articles in preparation for deposition	2.00	\$190.00	
04/19/06	Yavin	Prepare for the expert depositions; review and update exhibit files; receive and review new documents produced; gather errata sheets for witnesses	2.80	\$476.00	
04/20/06	Barnett	Expert deposition preparation; fact research re same; meeting with E. Stotz; telephone conferences with C. Poutasse; review Wells Fargo documents; prepare same for production; telephone conferences REDACTED telephone conference with J. Polcari re depositi	7.50	\$3,000.00	
04/20/06	Falby	Conference with E. Stotz to prepare for deposition; review E. Stotz documents for production; prepare for K. Gartrell deposition; review E. Stotz modification; telephone call from E. Stotz regarding same	8.20	\$4,633.00	
04/21/06	Yavin	Prepare for the upcoming expert depositions; produce WF documents; update and manage the case files	4.60	\$782.00	
04/23/06	Barnett	Prepare for Andelman deposition; conference with B. Falby re. Same; conference with C. Poutasse re same	10.40	\$4,160.00	
04/23/06	Falby	Prepare for expert depositions	7.00	\$3,955.00	
04/24/06	Barnett	Prepare for, take, follow up to Andelman deposition	10.20	\$4,080.00	
04/24/06	Falby	Prepare for K. Gartrell deposition; conferences with B. Barnett regarding D. Andelman deposition	4.50	\$2,542.50	
04/25/06	Barnett	Prepare for Gartrell and Andelman expert depositions; follow up to Andelman deposition	2.50	\$1,000.00	
04/25/06	Gould	Prepare for Gartrell deposition; update deposition exhibit binders	3.00	\$285.00	
04/26/06	Barnett	Prepare for expert deposition of Clarke; review his qualifications, experience, publications; prepare outline; fact research	9.90	\$3,960.00	
04/26/06	Falby	Prepare for K. Gartrell deposition; depose K. Gartrell; prepare for R. Clarke deposition; conference with B. Barnett regarding same	9.00	\$5,085.00	
04/26/06	Yavin	Prepare for the K. Gartrell deposition; update the witness files; prepare for the Clarke deposition; update and manage the document production files	4.20	\$714.00	

EXHIBIT F

04/27/06	Barnett	Prepare for Clarke deposition; draft, revise outline; fact research; conferences with B. Falby re. Same; review Wells Fargo telephone records; telephone conference with B. Lloyd re same; prepare records for production; draft letter to M. Swisher re. Same;	11.10	\$4,440.00	
04/27/06	Falby	PR for Clarke deposition; conference with B. Barnett and T. Feit	7.80	\$4,407.00	
04/27/06	Yavin	Prepare for the expert depositions; update and manage the case files	1.30	\$221.00	
04/28/06	Barnett	Prepare for Clarke deposition; fact research, document review re same; review expert transcripts; attention to errata sheets; letter to M. Swisher re same; letter to J. Rubino re same; letter to J. Rubino re same; email memorandum to Wells Fargo re phone	2.60	\$1,040.00	
04/28/06	Yavin	Prepare for the Clarke deposition; update exhibit binders w/ Andelman exhibits; prepare for Clarke deposition	3.50	\$595.00	
04/28/06	Yavin	Prepare for Clarke deposition; update and manage the document production files; send documents to Bernkopf; prepare document productions files and exhibits to be scanned; update the deposition files.	3.10	\$527.00	
05/01/06	Barnett	Prepare for P. Riley deposition; draft letter re error in Riley report; strategy meeting re summary judgment; review Andelman transcript	6.70	\$2,680.00	
05/01/06	Falby	Review R. Clarke transcript; conference with P. Riley in preparation for deposition; conference with T. Feit and B. Barnett regarding depositions and summary judgment.	7.70	\$4,350.50	
05/01/06	Gould	Bates label Patrick Riley documents	0.50	\$47.50	
05/02/06	Barnett	Prepare for, defend, follow up to Riley deposition; prepare for Greenspan deposition	6.10	\$2,440.00	
05/02/06	Falby	Draft motion to exclude K. Gartrell expert testimony; review cases regarding real estate valuation; review and comment on draft statement of facts; conferences with B. Barnett and P. Riley regarding deposition; telephone conference with C. Poutasse regard	4.00	\$2,260.00	
05/02/06	Yavin	Prepare for the Greenspan deposition; review Clarke exhibits; update exhibit files; send materials to expert; send errata sheet to E. Stotz; update and manage the case files	4.20	\$714.00	
05/07/06	Falby	Prepare to meet wit R. Greenspan; conference with R. Greenspan to prepare for deposition.	6.50	\$3,672.50	
05/07/06	Gould	Bates label Roger Greenspan document production	0.50	\$47.50	
05/08/06	Falby	Conference with R. Greenspan; defend R. Greenspan deposition; conferences with B. Barnett, T. Feit, L. Core regarding summary judgment	11.00	\$6,215.00	
05/08/06	Yavin	Provide support during Greenspan deposition; update and manage the case files	4.20	\$714.00	
05/09/06	Gould	Compare, using Deltaview, Greenspan final and draft reports	4.00	\$380.00	
05/11/06	Gould	Gather materials in support of summary judgment	1.00	\$95.00	
		Sub-total Phase II Discovery	565.35	\$206,130.00	
		<u>N.B. Experts named include:</u>			
		Andelman			
		Clarke			
		Gartrell			
		Greenspan			
		Poutasse			
		Riley			
		Stotz			

EXHIBIT G

DUPLICATIVE AND EXCESSIVE BILLING FOR SUMMARY JUDGMENT						
DATE	TIMEKEEPER	DESCRIPTION	TIME	AMOUNT BILLED		
03/27/06	Feit	Research and draft amended counterclaim; research and draft motion for summary judgment; revise affidavit in support of motion to compel deposition	7.10	\$2,130.00		
03/28/06	Feit	Research and draft motion for summary judgment; research and draft amended counterclaim and memorandum in support of motion for leave to file amended counterclaim	7.30	\$2,190.00		
04/03/06	Feit	Research concerning REDACTED	8.20	\$2,460.00		
04/12/06	Feit	Research and draft motion for summary judgment	4.80	\$1,440.00		
04/13/06	Feit	Research and draft motion for summary judgment	0.90	\$270.00		
04/18/06	Feit	Research and draft memorandum in support of Motion for Summary Judgment	2.40	\$720.00		
04/20/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.60	\$1,680.00		
04/24/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	4.00	\$1,230.00		
04/25/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	4.10	\$1,230.00		
04/26/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.00	\$1,500.00		
04/27/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.70	\$2,310.00		
04/28/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.90	\$2,370.00		
04/30/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	5.90	\$1,770.00		
05/01/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	10.30	\$3,090.00		
05/02/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	9.50	\$3,800.00		
05/03/06	Barnett	Conference with B. Falby, t. Feit re summary judgment preparation; preparations for Greenspan deposition; review, revise statement of facts for summary judgment brief; letter t M. Swisher re deposition transcript	3.20	\$1,280.00		
05/03/06	Falby	Conference with B. Barnett and T. Feit regarding summary judgment briefing; draft motion to exclude K. Gartrell testimony; attention to R. Greenspan deposition.	6.00	\$3,390.00		
05/03/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	9.80	\$2,940.00		
05/04/06	Barnett	Review, revise, add to summary judgment statement of facts; fact research re same.	11.80	\$4,720.00		
05/04/06	Falby	Draft motion to exclude K. Gartrell; conferences with B. Barnett and T. Feit regarding summary judgment	7.00	\$3,955.00		
05/04/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	7.30	\$2,190.00		
05/05/06	Barnett	Revise summary judgment statement of facts; Greenspan expert deposition preparation; gather, review, produce documents for Greenspan deposition; draft email memorandum re summary judgment affidavits; telephone calls with E. Stotz, C. Mallegni, C. Brown, J	4.50	\$1,800.00		
05/05/06	Falby	Review and comment on draft of summary judgment facts	0.50	\$282.50		
05/05/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	8.10	\$2,430.00		
05/05/06	Feit	Research and draft summary judgment motion	8.10	\$2,430.00		
05/06/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	8.30	\$2,490.00		
05/07/06	Barnett	Prepare for Greenspan expert deposition; prepare summary judgment papers; draft affidavits.	7.20	\$2,880.00		
05/07/06	Falby	Prepare to meet with R. Greenspan; conference with R. Greenspan to prepare for deposition	6.50	\$3,672.50		
05/07/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	6.70	\$2,010.00		
05/08/06	Barnett	Revise summary judgment statement of facts; fact research re Same; prepare for Greenspan expert deposition; review FTI engagement letter; conferences re Summary judgment strategy, legal issues with B. Falby, T. Feit, L. Core	8.20	\$3,280.00		
05/08/06	Falby	Conference with R. Greenspan; defend R. Greenspan deposition; conferences with B. Barnett, t. Feit, L. Core regarding summary judgment	11.00	\$6,215.00		
05/08/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	11.20	\$3,360.00		

EXHIBIT G

05/08/06	Feit	Research and draft summary judgment motion	11.20	\$3,360.00		
05/09/06	Falby	Review summary judgment drafts; comment on same	1.00	\$565.00		
05/09/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	10.20	\$3,060.00		
05/10/06	Barnett	Revise summary judgment brief; legal research re Same; conferences with B. Falby, T. Feit, L. Core re Same	10.70	\$4,280.00		
05/10/06	Core	Research in support of summary judgment motion	8.30	\$2,490.00		
05/10/06	Falby	Conferences with T. Feit, B. Barnett, L. Core regarding summary judgment brief; review and revise memorandum and facts.	3.00	\$1,695.00		
05/10/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	2.80	\$840.00		
05/11/06	Barnett	Revise summary judgment brief; legal research re Same; conferences with B. Falby, T. Feit re Same; telephone calls to Wells Fargo, LNR re Same; produce supplemental Wells Fargo telephone search results to opposing counsel; letter to and telephone confe	12.10	\$4,840.00		
05/11/06	Falby	Review and revise summary judgment facts and brief	2.00	\$1,130.00		
05/12/06	Barnett	Revise summary judgment brief; legal research re Same	7.20	\$2,880.00		
05/12/06	Core	Research in support of motion for summary judgment	3.60	\$1,080.00		
05/12/06	Falby	Revisions to summary judgment brief	4.40	\$2,486.00		
05/12/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment	0.40	\$120.00		
05/13/06	Barnett	Revise summary judgment brief; legal research re same	4.50	\$1,800.00		
05/13/06	Core	Research and writing for summary judgment motion	4.30	\$1,290.00		
05/13/06	Falby	Revise summary judgment papers	9.00	\$5,085.00		
05/13/06	Gould	Gather materials in support of summary judgment	1.50	\$142.50		
05/14/06	Barnett	Revise summary judgment brief; legal research re Same; review, revise statement of facts	12.70	\$5,080.00		
05/14/06	Core	Research and writing for summary judgment motion	7.90	\$2,370.00		
05/14/06	Falby	Revise summary judgment papers	8.00	\$4,520.00		
05/14/06	Gould	Prepare support materials for summary judgment motion	2.50	\$237.50		
05/15/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same, revise briefs, legal and fact research re Same, draft LNR and Wells Fargo affidavits, telephone conferences with Wells Fargo, LNR re Same.	13.00	\$5,200.00		
05/15/06	Core	Conduct research regarding (REDACTED)	8.40	\$2,520.00		
05/15/06	Falby	Revise summary judgment papers; email to client	12.00	\$6,780.00		
05/15/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment.	6.80	\$2,040.00		
05/15/06	Gould	Prepare support materials for summary judgment motion	4.00	\$380.00		
05/16/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same; revise briefs, legal and fact research re Same, draft LNR and Wells Fargo affidavits, telephone conference with Wells Fargo, LNR re Same	14.30	\$5,720.00		
05/16/06	Core	Legal research; assist with memorandum for summary judgment; check briefs	10.30	\$3,090.00		
05/16/06	Falby	Revise briefs, statement of facts; draft motions; telephone conference with client	12.00	\$6,780.00		
05/16/06	Feit	Research and draft summary judgment motion	14.00	\$4,200.00		
05/16/06	Gould	Prepare for summary judgment filing	11.00	\$1,045.00		
05/16/06	Yavin	Prepare documents to be filed regarding the summary judgment motion; update and manage case files	10.80	\$1,836.00		
05/17/06	Barnett	Summary judgment preparation, including revise statement of facts, research re Same, revise briefs, legal and fact research re Same, draft Barnett affidavit, supervise document preparation, electronic filing preparation.	13.60	\$5,440.00		
05/17/06	Core	Summary judgment research edits to briefs	8.00	\$2,400.00		
05/17/06	Falby	Revise summary judgment briefs, motions, facts; finalize motion to exclude and memorandum in support	12.00	\$6,780.00		
05/17/06	Feit	Research & draft memorandum in support of Motion for Summary Judgment.	9.10	\$2,730.00		
05/17/06	Gould	Prepare for summary judgment filing	8.50	\$807.50		
05/17/06	Yavin	Assist in filing of the summary judgment papers	8.75	\$1,487.50		
05/18/06	Barnett	Review Blue Hills' summary judgment filings; follow up to our filings; attention to expert witness errata sheets; arrange exchange of statements of facts with Bernkopf Goodman	1.60	\$640.00		
05/18/06	Feit	Research and draft opposition to plaintiff's summary judgment motion	0.50	\$150.00		
05/18/06	Gould	Gather and organize materials filed with the court on 5/17/06	2.50	\$237.50		
05/18/06	Yavin	Gather electronic version of summary judgment filings for B. Falby to send to clients; update and manage the case files	2.20	\$374.00		
05/19/06	Barnett	Review, revise statement of facts to court, opposing counsel; supervise compilation of judges personal copy of summary judgment pleadings	6.70	\$2,680.00		
05/19/06	Falby	Conference with N. Yavin regarding judge's courtesy copy; review Blue Hills' summary judgment filing; emails to client	1.60			
05/19/06	Feit	Research and draft opposition to motion for summary judgment	2.90	\$870.00		

EXHIBIT G

05/19/06	Yavin	Update and manage the case files; compile summary judgment filings for courtesy copy to court and legal team	5.30	\$901.00		
05/21/06	Yavin	Update and manage the case files; compile and organize the summary judgment filings	0.80	\$136.00		
05/22/06	Falby	Draft introduction to opposition brief and memorandum regarding factual and legal points to make in response; conference with B. Barnett and T. Feit regarding summary judgment opposition	5.10	\$2,881.50		
05/22/06	Feit	Research and draft opposition to motion for summary judgment	8.20	\$2,460.00		
05/23/06	Barnett	Analyze Blue Hills' statement of facts; telephone call to M Swisher re Missing exhibits; draft response thereto; fact research re Same	7.20	\$2,880.00		
05/23/06	Feit	Research and draft opposition to summary judgment motion	4.50	\$1,350.00		
05/24/06	Barnett	Analyze and draft response to Blue Hills' Statement of Facts; prepare opposition to Blue Hill's motion for summary judgment.	9.80	\$3,920.00		
05/24/06	Feit	Research and draft opposition to summary judgment motion	4.10	\$300.00		
05/25/06	Barnett	Review Rubino deposition testimony; analyze and draft response to Blue Hills' motion for summary judgment.	8.20	\$3,280.00		
05/25/06	Feit	Research and draft opposition to summary judgment motion	9.20	\$2,760.00		
05/26/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise opposition brief.	5.90	\$2,360.00		
05/26/06	Falby	Telephone conference REDACTED conferences with B. Barnett and T. Feit regarding summary judgment opposition	2.20	\$1,243.00		
05/26/06	Feit	Research and draft opposition to summary judgment motion	4.10	\$1,230.00		
05/27/06	Feit	Research and draft opposition to summary judgment motion	9.80	\$2,940.00		
05/28/06	Falby	Edit opposition; email to T. Feit regarding same; edit facts	4.00	\$2,260.00		
05/29/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise brief in opposition to Blue Hill's motion for summary judgment; legal research re Same; conferences with B. Falby re Same.	11.40	\$4,560.00		
05/29/06	Falby	Edit summary judgment opposition; telephone conferences with T. Feit; conference with B. Barnett; edit factual response.	6.00	\$3,390.00		
05/29/06	Feit	Telephone conference with B. Falby and B. Barnett re opposition; review and submit on revised opposition	1.50	\$450.00		
05/30/06	Barnett	Review, revise response to Blue Hills' statement of facts; fact research re Same; review, revise brief in opposition to Blue Hills' motion for summary judgment; legal research re Same; draft affidavit.	11.30	\$4,520.00		
05/30/06	Falby	Revise summary judgment opposition	8.00	\$4,520.00		
05/31/06	Barnett	Revise, edit, cite check response to statement of material facts; review, edit brief in opposition to Blue Hills motion for summary judgment; supervise preparation for filing; revise affidavit of counsel	9.10	\$3,640.00		
05/31/06	Falby	Edit, finalize summary judgment opposition brief	6.00	\$3,390.00		
05/31/06	Gould	Prepare for opposition to Blue Hills' motion for summary judgment filing	5.00	\$475.00		
05/31/06	Yavin	Assist in filings of reply summary judgment papers; compile pleadings for court and team	1.70	\$289.00		
06/07/06	Barnett	Draft reply briefs, affidavit of counsel; legal and fact research re Same; review Blue Hills' response to our statement of facts	12.40	\$4,960.00		
06/08/06	Barnett	Draft reply brief re Counterclaim; draft Wells Fargo affidavit re Reserves; legal and fact research re Same	6.90	\$2,760.00		
06/08/06	Core	Research regarding REDACTED	2.80	\$840.00		
06/08/06	Falby	Revise reply briefs; conferences with B. Barnett regarding same; conferences with L. Core and J. Morin regarding legal research	10.00	\$5,650.00		
06/08/06	Morin	Receive assignment and discuss with Bruce Falby; research (redacted) create outline for memorandum to address Rule 30(e) and its applicability to this case.	5.30	\$980.50	Summer Assoc.	
06/09/06	Barnett	Revise summary judgment reply briefs; legal and fact research re same; revise Wells Fargo affidavit; telephone conferences with J. Arakaki, J. Martin re same; draft response to Blue Hills second statement of facts	7.80	\$3,120.00		
06/09/06	Core	Review opposition; review cases; draft new paragraph re tax damages; research REDACTED research	3.60	\$1,080.00		
06/09/06	Morin	Compose memorandum that addresses Rule 30(e) ... edit memorandum; print and submit memorandum to Bruce Falby	6.90	\$1,276.50	Summer Assoc.	
06/09/06	Yavin	Update and manage case files	2.40	\$408.00		
06/11/06	Barnett	Email memoranda re summary judgment reply briefs	0.40	\$160.00		
06/11/06	Barnett	Draft response to Blue Hills second fact statement; revise summary judgment reply briefs; draft Third Barnett Affidavit; compile evidence for reply filings	10.20	\$4,080.00		
06/11/06	Core	Perform research in support of reply brief	4.60	\$1,380.00		
06/11/06	Falby	Revise reply briefs	4.00	\$2,260.00		
06/12/06	Barnett	Review, revise response to Blue Hills second fact statement, summary judgment reply briefs, Third Barnett Affidavit; compile evidence for reply filings.	9.10	\$3,640.00		
06/12/06	Falby	Review and revise reply briefs	3.50	\$1,977.50		
06/12/06	Gould	Assist in filing Martin and Barnett affidavits	1.50	\$142.50		
06/12/06	Yavin	Update and manage the case files	2.70	\$459.00		
06/13/06	Barnett	Summary judgment reply follow up; telephone conference with clerk, M. Swisher re corrected statement of facts; review Blue Hills' reply filings	1.50	\$600.00		

EXHIBIT G

06/13/06	Falby	Review Blue Hills reply brief; conference with J. Moran regarding motion to strike errata sheet	0.40	\$226.00		
06/13/06	Yavin	Compile summary judgment documents filed on 6/12/06 for client, file and judge; update and manage the case files	4.00	\$680.00		
06/14/06	Yavin	Prepare court copy of 6/12/06 summary judgment filings	1.80	\$306.00		
06/15/06	Morin	Draft motion to strike errata sheet	2.00	\$370.00	Summer Assoc.	
06/15/06	Yavin	Update and manage the case files	1.80	\$306.00		
06/16/06	Falby	Review motion to strike; conference with J. Morin	0.30	\$169.50		
06/16/06	Morin	Draft motion to strike	4.00	\$740.00	Summer Assoc.	
06/21/06	Feit	Research and draft memorandum in support of motion to strike alterations to deposition testimony	3.60	\$1,080.00		
06/22/06	Barnett	Conference with T. Feit re summary judgment follow up, including verifying Blue Hills corrected statement of facts, motion to strike deposition errata sheet; file management	0.80	\$320.00		
06/22/06	Feit	Research and draft memorandum in support of motion to strike alterations to deposition testimony	2.60	\$780.00		
06/23/06	Feit	Review summary judgment briefs and supporting materials in preparation for hearing on summary judgment motions	1.80	\$540.00		
06/24/06	Gould	Manage and organize files	1.50	\$142.50		
06/25/06	Gould	Create case binders for all summary judgment briefs filed with the court	2.50	\$237.50		
06/27/06	Gould	Manage case files	1.00	\$95.00		
06/27/06	Yavin	Update and manage case files	0.70	\$119.00		
06/28/06	Gould	Create case binders for all applicable summary judgment filings in preparation for July hearing	5.00	\$475.00		
06/29/06	Gould	Create case binders for all applicable summary judgment filings in preparation for July hearing	4.50	\$427.50		
06/30/06	Gould	Create case binders for all applicable summary judgment filings in preparation for July hearing	3.00	\$285.00		
07/03/06	Yavin	Update and manage the case files	0.50	\$85.00		
07/11/06	Barnett	Prepare for summary judgment hearing	1.40	\$560.00		
07/12/06	Barnett	Prepare for summary judgment hearing	2.30	\$920.00		
07/12/06	Falby	Prepare for summary judgment hearing	9.00	\$5,085.00		
07/13/06	Barnett	Prepare for, attend summary judgment hearing	5.60	\$2,240.00		
07/13/06	Falby	Prepare for summary judgment hearing; argue summary judgment motion	7.00	\$3,955.00		
07/18/06	Gould	Organize documents filed on 5/17/06, 5/31/06, 6/12/06	1.00	\$95.00		
08/15/06	Falby	Telephone conference with M. Carballo and J. Polcari re summary judgment and Trial schedule	0.20	\$113.00		
08/18/06	Yavin	Conduct fact investigation for B. Barnett re summary judgment filings; update and manage the case files	0.50	\$85.00		
08/24/06	Barnett	Conferences with B. Falby, S. McNabb re trial preparation, summary judgment ruling; telephone conference with M. Carballo, J. Polcari re same; prepare witness outlines; telephone conferences with witnesses; telephone conference with D. Erwin re. workstat	5.20	\$2,080.00		
08/24/06	Feit	Conference with B. Falby, B. Barnett, M. Carballo and J. Polcari concerning summary judgment decision and trial preparation	0.90	\$270.00		
		Sub-total Summary Judgment		\$305,750.00		

EXHIBIT H

BILLING FOR TRIAL DATES ONLY						
DATE	TIMEKEEPER	DESCRIPTION	TIME	AMOUNT BILLED		
DAY ONE OF TRIAL						
09/13/06	Barnett	Trial and trial preparation	11.20	\$4,480.00		
09/13/06	Falby	Trial, trial preparation	15.00	\$8,475.00		
09/13/06	Feit	Attend and assist at trial; research, draft and file supplemental memorandum in support of motion to exclude tax loss evidence	11.50	\$3,450.00		
09/13/06	Gould	Assist with trial preparation	6.00	\$570.00		
09/13/06	McNabb	Prepare materials in courtroom for trial; attend and take notes of trial; prepare exhibits, laptop and indices for trial; prepare pleadings and cases for motion hearing	14.00	\$2,380.00		
09/13/06	Yavin	Update Trial exhibits; prepare materials to be used at trial; update laptop with files and software to be used at trial; travel to court and deliver materials to be used at trial; prepare for second day of trial; prepare trial exhibits to be scanned	7.00	\$1,190.00		
		Subtotal Day One	64.70	\$20,545.00		
DAY TWO OF TRIAL						
09/14/06	Barnett	Trial and trial preparation	12.30	\$4,920.00		
09/14/06	Falby	Trial	14.00	\$7,910.00		
09/14/06	Feit	Attend and assist at trial; research nature and extent of duties of attorney acting as escrow agent or holding client funds	10.60	\$3,180.00		
09/14/06	Gould	Assist and preparation for trial	1.00	\$95.00		
09/14/06	McNabb	Create control sets of agreed/admitted trial exhibits; create control sets of lender's trial exhibits; prepare laptop for trial; update exhibits lists; pull MA general law from Westlaw; prepare boxes containing trial materials to be sent to court.	12.40	\$2,108.00		
09/14/06	Yavin	Update and manage the case files; prepare materials to be used at trial; provide support at trial	2.60	\$442.00		
		Subtotal Day Two	52.90	\$18,655.00		
DAY THREE OF TRIAL						
09/15/06	Barnett	Trial and trial preparation	9.70	\$3,880.00		
09/15/06	Falby	Trial; telephone conference with M. Carballo and T. Nealon	8.00	\$4,520.00		
09/15/06	Feit	Attend and assist at trial; research and draft deposition outline for A. Cohn.	7.80	\$2,340.00		
09/15/06	Gould	Assist in preparation for trial	1.00	\$95.00		
09/15/06	McNabb	Checked accuracy of agreed upon trial exhibits on P drive; status meeting with B. Barnett; update trial exhibit lists; prepared motion to exclude for T. Feit	9.30	\$1,581.00		
09/15/06	Yavin	Prepare materials for trial; provide support during trial	2.00	\$340.00		
		Subtotal Day Three	37.80	\$12,756.00		
DAY FOUR OF TRIAL						
09/29/06	Feit	Prepare for and attend trial	7.40	\$2,220.00		
09/29/06	Barnett	Trial preparation and trial session 4; telephone conferences and email memoranda to witnesses re Testimony, scheduling	8.20	\$3,280.00		
09/29/06	Falby	Trial preparation and trial; telephone conference with M. Carballo	6.00	\$3,390.00		
09/29/06	McNabb	Prepare materials in courtroom; attend day 4 of trial; update exhibits lists; participate in conference call with B. Falby, J. Polcari, B. Barnett and T. Feit regarding trial day 4	9.10	\$1,547.00		
09/29/06	Gould	Assist with trial preparation	1.50	\$142.50		
		Subtotal Day Four	32.20	\$10,579.50		
DAY FIVE OF TRIAL						
10/03/06	Falby	Trial; Trial preparation; telephone conference with M. Carballo	10.45	\$5,904.25		
10/03/06	Feit	Research and draft cross-examination outline for proposed expert witness K. Gartrell; research and draft proposed findings and rulings	9.80	\$2,940.00		
10/03/06	Barnett	Trial and trial preparation, including attention to exhibits, preparation for witness testimony	14.70	\$5,880.00		
		Subtotal Day Five	34.95	\$14,724.25		
DAY SIX OF TRIAL						
10/04/06	Falby	Trial preparation; trial; teleconference w/ M. Carballo; conference with team	7.00	\$3,955.00		
10/04/06	Feit	Prepare for and attend trial; research and draft memorandum concerning breach of the implied covenant of good faith and fair dealing	10.40	\$3,120.00		
10/04/06	Barnett	Trial and trial preparation, including communications with witnesses re Schedule and testimony, conferences re Trial strategy	8.20	\$3,280.00		
		Subtotal Day Six	25.60	\$10,355.00		
DAY SEVEN OF TRIAL						
10/11/06	Falby	Trial and trial preparation	16.00	\$9,040.00		
10/11/06	Feit	Prepare for an attend trial; research & draft proposed findings and rulings	11.00	\$3,300.00		

EXHIBIT H

10/11/06	Barnett	Trial and trial preparation, including witness outlines, attention to exhibits, prepare for argument on Rule 52(c) motion; prepare witnesses.	15.50	\$6,200.00		
10/11/06	McNabb	Prepare courtroom for trial; prepare exhibits for B. Barnett; update trial indices; update laptop; obtain Blue Hills LLC and Corporation articles of incorporation and by-laws for T. Feit; create Rosen, Erwin and Andelman exhibit lists	13.30	\$2,261.00		
		Subtotal Day Seven	55.80	\$20,801.00		
		DAY EIGHT OF TRIAL				
10/12/06	Falby	Trial; prepare closing	10.00	\$5,650.00		
10/12/06	Feit	Prepare for and attend trial; assist in preparation for closing	4.50	\$1,350.00		
10/12/06	McNabb	Update trial laptop; prepare new trial exhibits; update exhibit list; attend day 8 of trial; prepare courtroom for trial	5.30	\$901.00		
10/12/06	Barnett	Trial and trial preparation, including witness preparation, negotiation of stipulation, legal research for closing arguments, etc	11.00	\$4,400.00		
		Subtotal Day Eight	30.80	\$12,301.00		
		DAY NINE OF TRIAL				
10/13/06	McNabb	Attend last day of trial (closing arguments) conference call with client; organize trial binders and files	5.50	\$935.00		
10/13/06	Falby	Trial; telephone conference with clients.	3.50	\$1,977.50		
10/13/06	Barnett	Trial and trial preparation for closing arguments (conference call with clients re trial and next steps.)	5.90	\$2,360.00		
		Subtotal Day Nine	14.90	\$5,272.50		
		Grand Total Trial Dates Only	318.85	\$113,688.25		

EXHIBIT I

UNRECOVERABLE COSTS AND OVERHEAD (INCLUDING CLERICAL, ADMINISTRATIVE OR TECHNOLOGY RELATED TASKS)					
DATE	TIMEKEEPER	DESCRIPTION	TIME	AMOUNT BILLED	
10/20/05	Carreon	Presave emails into native files then convert to tiff	1.00	\$130.00	
10/21/05	Carreon	Complete tiff conversion of the email mailstore Revised documents breaks per email. Printed all documents with slipsheet per email.	2.50	\$325.00	
10/24/05	Carreon	Extract data and presave native files	1.00	\$130.00	
10/25/05	Carreon	Complete tiff conversion of the email mailstore Revised documents breaks per email. Printed all documents with slipsheet per email.	2.50	\$325.00	
11/08/05	Carreon	Extract parent records of all culled down attachments	2.00	\$260.00	
11/17/05	Carreon	Match culled searches (done by Y LPT) are matched with proper parent child relationship on the Master database	4.00	\$520.00	
02/02/06	Carreon	QA 2CDs of data and images received. Create Concordance database and link images. Monitor copy to Boston server	3.00	\$420.00	
02/03/06	Carreon	QA 1CD of data and images received. Append to Concordance database and link images. Monitor copy to Boston server	2.00	\$280.00	
02/04/06	Carreon	Uploaded corrected OCR data for all 3 cds previously set up for the case database	1.00	\$140.00	
01/24/06	Gould	Organize discovery materials in a binder	1.00	\$95.00	
01/27/06	Gould	Prepare document productions to be scanned	1.00	\$95.00	
01/31/06	Gould	Prepare discovery material binders	1.50	\$142.50	
02/03/06	Gould	Create spreadsheet of deposition notices. Index WF document production	2.00	\$190.00	
02/06/06	Gould	Prepare witness file folders for upcoming depositions	2.00	\$190.00	
02/13/06	Gould	Organize key documents in preparation for weekly depositions; bates label WF documents	6.50	\$617.50	
03/31/06	Gould	Create and update Blue Hills deposition review chart	1.00	\$95.00	
05/01/06	Gould	Bates label Patrick Riley documents	0.50	\$47.50	
05/07/06	Gould	Bates label Roger Greenspan document production	0.50	\$47.50	
05/09/06	Gould	Compare, using Deltaview, Greenspan final and draft reports	4.00	\$380.00	
05/11/06	Gould	Gather materials in support of summary judgment	1.00	\$95.00	
05/13/06	Gould	Gather materials in support of summary judgment	1.50	\$142.50	
05/14/06	Gould	Prepare support materials for summary judgment motion	2.50	\$237.50	
05/15/06	Gould	Prepare support materials for summary judgment motion	4.00	\$380.00	
05/16/06	Gould	Prepare for summary judgment filing	11.00	\$1,045.00	
05/16/06	Gould	Prepare for summary judgment filing	11.00	\$1,045.00	
05/17/06	Gould	Prepare for summary judgment filing	8.50	\$807.50	
05/17/06	Gould	Prepare for summary judgment filing	8.50	\$807.50	
05/18/06	Gould	Gather and organize materials filed with the court on 5/17/06	2.50	\$237.50	
05/31/06	Gould	Prepare for opposition to Blue Hills' motion for summary judgment filing	5.00	\$475.00	
06/12/06	Gould	Assist in filing Martin and Barnett affidavits	1.50	\$142.50	
06/24/06	Gould	Manage and organize files	1.50	\$142.50	
06/25/06	Gould	Create case binders for all summary judgment briefs filed with the court	2.50	\$237.50	
06/28/06	Gould	Create case binders for all applicable summary judgment filings in preparation for July hearing	5.00	\$475.00	
06/29/06	Gould	Create case binders for all applicable summary judgment filings in preparation for July hearing	4.50	\$427.50	
06/30/06	Gould	Create case binders for all applicable summary judgment filings in preparation for July hearing	3.00	\$285.00	
07/18/06	Gould	Organize documents filed on 5/17/06, 5/31/06, 6/12/06	1.00	\$95.00	
09/11/06	Gould	Assist with trial preparation	5.50	\$522.50	
09/12/06	Gould	Assist with trial preparation	11.00	\$1,045.00	
09/13/06	Gould	Assist with trial preparation	6.00	\$570.00	
09/15/06	Gould	Assist in preparation for trial	1.00	\$95.00	
09/25/06	Gould	Gather trial exhibits EZ-FK	1.50	\$142.50	
09/26/06	Gould	Scan exhibits in preparation for trial	1.00	\$95.00	
09/27/06	Gould	Assist with trial preparation	2.00	\$190.00	
09/29/06	Gould	Assist with trial preparation	1.50	\$142.50	
10/02/06	Gould	Assist with trial preparation	0.50	\$47.50	
10/10/06	Gould	Assist with trial preparation	0.50	\$47.50	
06/27/06	Gould	Manage case files	1.00	\$95.00	
08/25/06	McNabb	Electronic correspondence with R. Greenspan and M. Linsk of pleadings; create index of deposition exhibits references in summary judgment	2.00	\$340.00	
08/28/06	McNabb	Prepare lender's summary judgment binder in preparation for trial for B. Barnett; prepare motion to exclude Gartrell binder in preparation for trial for B. Barnett; update index to deposition exhibits	1.70	\$289.00	
09/07/06	McNabb	Create binder of deposition abstracts for B. Barnett; checked accuracy of deposition exhibit 154	1.20	\$204.00	

EXHIBIT I

09/11/06	McNabb	Pulled potential exhibits in preparation for trial; prepared witness files for trial; status meeting with B. Falby, B. Barnett and T. Feit regarding trial preparation; meeting with B. Barnett and M.Vhay regarding preparation of exhibits for Judge Young; e	13.10	\$2,227.00		
09/12/06	McNabb	Prepare trial exhibits; prepare trial laptop and printer; team meeting regarding trial preparation; prepare trial witness files; prepare boxes to send to court	17.80	\$3,026.00		
09/13/06	McNabb	Prepare materials in courtroom for trial; attend and take notes of trial; prepare exhibits, laptop and indices for trial; prepare pleadings and cases for motion hearing	14.00	\$2,380.00		
09/13/06	McNabb	Prepare materials in courtroom for trial; attend and take notes of trial; prepare exhibits, laptop and indices for trial; prepare pleadings and cases for motion hearing.	14.00	\$2,380.00		
09/18/06	McNabb	Create trial transcript binder for mediator; create trial transcript folder in Livenote; scan and electronically distribute Warshaw and Rosen manuscripts; add word indices to Falby copies of Fineberg and Goldberg deposition transcripts	4.60	\$782.00		
09/28/06	McNabb	Prepare exhibits for trial; prepare trial boxes and coordinated their delivery to court; update trial laptop; update trial indices; scan and electronically distribute motion exhibits	8.00	\$1,360.00		
09/29/06	McNabb	Prepare materials in courtroom; attend day 4 of trial; update exhibits lists; participate in conference call with B. Falby, J. Polcari, B. Barnett and T. Feit regarding trial day 4	9.10	\$1,547.00		
10/10/06	McNabb	Prepare trial boxes at court; prepare pleadings to bring to court; update trial laptop; update trial indices; pull cases cited by Blue Hills for T. Feit	10.80	\$1,836.00		
11/01/05	Pagaduan	Setup and organize case structure on server and save data	1.00	\$130.00		
11/02/05	Pagaduan	Create Concordance database and update security settings; apply key word search terms and cull down database based on these terms and create new database.	2.00	\$260.00		
11/07/05	Pagaduan	Quality check data and save onto server; organize and prepare email files for electronic discovery processing; create Concordance database and convert images to TIFF format	3.00	\$390.00		
11/08/05	Pagaduan	Apply key word search terms to database and export out to a new Concordance database; import parent emails into Concordance collection	2.00	\$260.00		
11/11/05	Pagaduan	Segregate documents and apply new keyword terms	1.00	\$130.00		
11/14/05	Pagaduan	Import parent emails to document review database; import missing emails and apply specific tags.	2.00	\$260.00		
11/15/05	Pagaduan	Transfer data onto Boston Server; update database, import parent emails and resolve issues.	1.00	\$130.00		
11/18/05	Pagaduan	Segregate production set, create new images and endorse with production numbers	2.00	\$260.00		
04/18/06	Towner	Loaded docs into final Blue Hills database; modified log file to reflect correct path for proper image retrieval; reviewed database for accuracy	2.50	\$350.00		
10/27/05	Yavin	Prepare documents to be Bates labeled and produced; confer with B. Barnett re The document production	1.30	\$195.00		
01/27/06	Yavin	Prepare documents for scanning ; communications with LPT department re Concordance database ; communications with vendor re Scanning project; send documents to scanner .	3.40	\$578.00		
01/30/06	Yavin	Oversee the scanning of the document production files project; update and manage the case files; gather exhibits to Request for Admissions motion; confer with T. Feit re Motion and attached exhibits	2.80	\$476.00		
01/31/06	Yavin	Communications with legal team re Status of scanning and OCR project ; communication with LPT re Concordance database to be used for a document repository.	0.50	\$408.00		
02/01/06	Yavin	Prepare documents to be scanned	2.40	\$408.00		
02/01/06	Yavin	Prepare documents to be scanned ; confer with vendor and LPT re scanning project ; update and manage the case files	2.40	\$408.00		
02/02/06	Yavin	oversee scanning project	2.40	\$408.00		
02/02/06	Yavin	Oversee the scanning project; load data to the Concordance database update the document production index; manage the case files	2.40	\$408.00		
02/03/06	Yavin	Set up the Concordance database ; update the document production files	3.10	\$527.00		
02/13/06	Yavin	Update deposition calendar and circulate; prepare materials for the J. Donovan deposition	2.00	\$340.00		
02/24/06	Yavin	Compile and gather documents for the subject and chronology binders; prepare for the J. Polcari deposition; prepare and produce supplemental documents; review recent Blue Hills documents; communication with vendor re Scanning of the deposition exhibits	3.90	\$663.00		
		Sub-total Clerical, Administrative, IT tasks	279.90	\$37,275.00		

EXHIBIT I

		N.B. Timekeepers Carreon, Pagaduan and Towner, while listed as "monthly staff" serve the same function as data processing or I.T. staff.				
		Timekeepers Gould and Gardiner are listed as "Project Assistants" but they serve the same function as administrative assistants.				
		Defendants/Plaintiffs-in-Counterclaim also bill for their TIME to prepare documents for scanning and bates labeling while also billing for the outside vendor to scan and bates label.				
01/13/05	Inv. 1614642	Miscellaneous - Vendor: Catherine Williams - car rental to travel to Norfolk Superior court for copies of pleadings.	0.00	\$78.16		
01/31/05	Inv. 1614642	Computer Printing	0.00	\$7.56		
03/15/05	Inv. 1635752	Mileage Allowance/Parking - Vendor - Bruce Barnett	0.00	\$48.73		
03/25/05	Inv. 1635752	Meals - Vendor: Bruce Barnett Lunch - Lennar/Blue Hill	0.00	\$46.42		
03/25/05	Inv. 1635752	Mileage Allowance/Parking - Vendor: Bruce Barnett Parking at International Place Garage	0.00	\$30.00		
03/28/05	Inv. 1635752	Office Supplies	0.00	\$7.50		
04/30/05	Inv. 1649847	Computer Printing	0.00	\$109.80		
04/30/05	Inv. 1649847	Office Supplies	0.00	\$1.30		
07/27/05	Inv. 1693475	Computer Printing	0.00	\$52.95		
07/27/05	Inv. 1693475	Office Supplies	0.00	\$5.80		
07/27/05	Inv. 1693475	Secretarial Overtime	0.00	\$33.21		
07/14/05	Inv. 1709716	Delivery Services - Vendor: United Parcel Service from Scott Elterman, Esq. To Scott Elterman, Esq./Ticor Title Insurance Compa//711 Third Avenue//New York, NY	0.00	\$8.32		
07/14/05	Inv. 1709716	Computer Printing	0.00	\$12.00		
07/14/05	Inv. 1709716	Office Supplies	0.00	\$0.30		
09/23/05	Inv. 1741154	Meals - Vendor: Petty Cash Custodian	0.00	\$4.29		
10/27/05	Inv. 1741154	Meals - Vendor: Cash - Boston Cash - Boston	0.00	\$12.50		
10/28/05	Inv. 1741154	Local Travel - Vendor: Bruce Barnett Transportation	0.00	\$70.00		
10/28/05	Inv. 1741154	Computer Printing	0.00	\$64.35		
11/01/05	Inv. 1754871	Meals - Vendor: Petty Cash Custodian B. Barnett	0.00	\$17.72		
11/10/05	Inv. 1754871	Duplicating - Vendor: Merrill Communications LLC - St. Paul Document Production/Bates Labeling	0.00	\$402.54		
11/10/05	Inv. 1754871	Duplicating - Vendor: Merrill Communications LLC _ St. Paul Copies/ Bates Labeling	0.00	\$163.32		
11/21/05	Inv. 1754871	IT Litigation Technology - Vendor: Merrill Communications LLC - St. Paul Merrill Communications - Bates Labeling and Copying the Lennar, Credit Suisse and Wells Fargo document Productions	0.00	\$1,536.57		
11/21/05	Inv. 1754871	IT Litigation Technology - Vendor: Merrill Communications LLC - St. Paul Merrill Communications - Bates Labeling and Copying the Lennar, Credit Suisse and Wells Fargo document Productions	0.00	\$1,260.33		
11/21/05	Inv. 1754871	IT Litigation Technology - Vendor: Merrill Communications LLC - St. Paul Merrill Communications - Bates Labeling and Copying the Lennar, Credit Suisse and Wells Fargo document Productions	0.00	\$734.27		
11/21/05	Inv. 1754871	Office Supplies	0.00	\$12.22		
11/04/05	Inv. 1773108	Mileage Allowance/Parking - Vendor: Samuel Jackson	0.00	\$32.00		
11/21/05	Inv. 1773108	Mileage Allowance/Parking - Vendor: Samuel Jackson	0.00	\$16.00		
11/29/05	Inv. 1773108	Secretarial Overtime	0.00	\$33.21		
01/03/06	Inv. 1784073	Meals - Vendor: Petty Cash Custodian Meal	0.00	\$13.21		
01/03/06	Inv. 1784073	Mileage Allowance/Parking Vendor: Petty Cash Custodian Parking	0.00	\$3.50		
01/03/06	Inv. 1784073	Mileage Allowance/Parking - Vendor: Petty Cash Custodian Parking	0.00	\$10.66		
01/25/06	Inv. 1784073	Color Photocopies	0.00	\$1.25		
02/09/06	Inv. 1795052	Color Photocopies	0.00	\$510.00		
03/22/05	Inv. 1807353	Delivery Services - Vendor: RS Express Inc. to Medical Group, Brookline (1/17/06)	0.00	\$17.24		
03/10/06	Inv. 1807353	Local Travel - Vendor: Boston Car Services Taxi Service from Office to Parking Lot 11/14/05	0.00	\$5.00		
03/13/06	Inv. 1807353	Local Travel - Vendor: Boston Car Services Taxi Service from Office to Lexington 1/26/06	0.00	\$54.15		
03/13/06	Inv. 1807353	Local Travel - Vendor: Boston Car Services Taxi Service from Office to East Weymouth - 1/30/06	0.00	\$45.00		
03/13/06	Inv. 1807353	Local Travel - Vendor: Boston Car Services Taxi Service from Office to Brighton 1/26/06	0.00	\$25.00		
03/16/06	Inv. 1807353	Local Travel - Vendor: Bruce Barnett Client Meeting	0.00	\$55.00		
03/16/06	Inv. 1807353	Meals - Vendor: Bruce Barnett Client Meeting	0.00	\$28.00		
03/18/06	Inv. 1807353	Mileage Allowance/Parking - Vendor: American Express American Express - Bruce Barnett -LNR/Blue Hills	0.00	\$10.00		
03/18/06	Inv. 1807353	Meals - Vendor: American Express American Express - Bruce Barnett - LNR/Blue Hills	0.00	\$14.55		
03/29/06	Inv. 1807353	Meals - Vendor: Cash - Boston Overtime Meals	0.00	\$13.50		

EXHIBIT I

03/29/06	Inv. 1807353	Mileage Allowance/Parking - Vendor: Cash - Boston Parking on 3/14/06	0.00	\$30.00		
03/29/06	Inv. 1807353	Meals - Vendor: Cash - Boston Dinner for Nili Yavin	0.00	\$5.00		
03/29/06	Inv. 1807353	Meals - Vendor: Cash - Boston Meals on 2/09/06	0.00	\$20.00		
03/29/06	Inv. 1807353	Mileage Allowance/parking - Vendor Cash - Boston Parking on 2/28/06	0.00	\$30.00		
03/29/06	Inv. 1807353	Meals - Vendor: Cash - Boston Dinner on 3/14/06	0.00	\$21.28		
03/31/06	Inv. 1807353	Local Travel - Vendor: Cash - Boston Cab Ride	0.00	\$15.00		
03/31/06	Inv. 1807353	Color Photocopying	0.00	\$493.75		
04/06/06	Inv. 1828837	Duplicating - Vendor: Merrill Communications LLC - St. Paul Bates Labeling and Photocopying the LNR/Blue Hills document production files - 3/7/06	0.00	\$386.49		
04/07/06	Inv. 1828837	Meals - Vendor: Max's Deli Café Client lunch meeting - Bruce Barnett	0.00	\$79.01		
04/11/06	Inv. 1828837	Duplicating - Vendor: Merrill Communications LLC - St. Paul Bates Labeling and copying costs for the document production files	0.00	\$206.21		
04/12/06	Inv. 1828837	Local Travel - Vendor: Boston Car Services Cab Fare on 2/15/06	0.00	\$21.95		
04/12/06	Inv. 1828837	Local Travel - Vendor: Boston Car Services Cab Fare on 2/6/06	0.00	\$22.75		
04/12/06	Inv. 1828837	Local Travel - Vendor: Boston Car Services Cab Fare on 2/22/06	0.00	\$48.00		
04/12/06	Inv. 1828837	Local Travel - Vendor: Boston Car Services Cab Fare on 2/13/06	0.00	\$22.85		
04/12/06	Inv. 1828837	Local Travel - Vendor: Boston Car Services Cab Fare on 2/27/06	0.00	\$47.00		
04/12/06	Inv. 1828837	Local Travel - Vendor: Boston Car Services Cab Fare on 2/08/06	0.00	\$23.00		
04/12/06	Inv. 1828837	Local Travel - Vendor: Boston Car Services Cab Fare on 2/22/06	0.00	\$23.15		
04/22/06	Inv. 1828837	Meals - Vendor: Cash - Boston Jessie W. Manchester meals on 3/15/06	0.00	\$49.62		
04/27/06	Inv. 1828837	Color Photocopies	0.00	\$25.00		
04/25/06	Inv. 1836863	Local Travel - Vendor: Bruce Barnett Meeting w/ client	0.00	\$27.50		
05/04/06	Inv. 1836863	Duplicating - Vendor: Williams Lea Inc. scanning and ocring the deposition exhibits	0.00	\$222.56		
05/04/06	Inv. 1836863	Duplicating - Vendor: Williams Lea Inc. scanning and ocring costs for the LNR/Blue Hills document production and deposition exhibit files 3/31/06	0.00	\$1,466.81		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Marguerite Hutchinson Cab Fare on 3/9/06	0.00	\$15.00		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Marguerite Hutchinson Cab Fare on 3/14/06	0.00	\$13.00		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Bruce Barnett Cab Fare on 3/15/06	0.00	\$53.20		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Marguerite Hutchinson Cab Fare on 3/20/06	0.00	\$15.00		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Traci Feit Cab Fare on 3/16/06	0.00	\$20.75		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Karey Gould Cab Fare on 3/15/06	0.00	\$43.00		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Marguerite Hutchinson Cab Fare on 3/13/06	0.00	\$15.00		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Karey Gould Cab Fare on 3/20/06	0.00	\$46.00		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Karey Gould Cab Fare on 3/9/06	0.00	\$26.00		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Traci Feit Cab Fare on 3/15/06	0.00	\$21.15		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Karey Gould Cab Fare on 3/13/06	0.00	\$43.00		
05/09/06	Inv. 1836863	Local Travel - Vendor: Boston Car Services - Nili Yavin Cab Fare on 3/8/06	0.00	\$24.00		
05/11/06	Inv. 1836863	Duplicating - Vendor: Merrill Communications LLC - St. Paul Medium Litigation, Bates Labels 4/24/06	0.00	\$421.00		
05/30/06	Inv. 1836863	Meals - Vendor: American Express American Express - Bruce Barnett - Meal while working on documents to be filed (LNR/Blue Hills)	0.00	\$29.37		
05/30/06	Inv. 1836863	Mileage Allowance/Parking - Vendor: American Express American Express - Bruce Barnett - Meal while working on documents to be filed (LNR/Blue Hills)	0.00	\$20.00		
05/31/06	Inv. 1836863	Commercial Printing - Vendor: Merrill Communications LLC - St. Paul scanning of the exhibit files 5/16/06	0.00	\$419.59		
05/31/06	Inv. 1836863	Meals - Vendor: Cash - Boston Bruce S. Barnett Meals (LNR/Blue Hills)	0.00	\$20.00		
05/31/06	Inv. 1836863	Color Photocopies	0.00	\$45.00		
05/31/06	Inv. 1836863	Duplicating - Vendor: Merrill Communications LLC - St. Paul Medium Litigation, Bates Labels 4/24/06	0.00	\$245.70		
06/05/06	Inv. 1856067	Meals - Vendor: Sam LaGrassa's Catering Company Client Lunch	0.00	\$36.07		
06/05/06	Inv. 1856067	Meals - Vendor: Au C62bon Pain Client Lunch	0.00	\$38.28		
06/14/06	Inv. 1856067	Mileage Allowance/Parking - Vendor: American Express American Express- Bruce Barnett - Pkg and Meals LNR/Blue Hills	0.00	\$60.00		
06/14/06	Inv. 1856067	Mileage Allowance/Parking - Vendor: American Express American Express- Bruce Barnett - Pkg and Meals LNR/Blue Hills	0.00	\$192.00		
06/15/06	Inv. 1856067	Local Travel - Vendor: Bruce E. Falby - Taxi from Boston to Needham on 5/11/06	0.00	\$26.50		
06/19/06	Inv. 1856067	Local Travel - Vendor: Boston Car Services - 4/3/06 K. Gould cab fee from office to Lexington	0.00	\$42.00		
06/19/06	Inv. 1856067	Local Travel - Vendor: Boston Car Services -3/28/06 Traci Feit cab fee from office to 42 Claremont St	0.00	\$21.15		

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06/19/06	Inv. 1856067	Local Travel - Vendor: Boston Car Services - 4/4/06 K. Gould cab fee from office to Lexington	0.00	\$47.00		
06/19/06	Inv. 1856067	Local Travel - Vendor: Boston Car Services - 4/6/06 K. Gould cab fee from office to Lexington	0.00	\$49.00		
06/19/06	Inv. 1856067	Local Travel - Vendor: Boston Car Services - 4/5/06 K. Gould cab fee from office to Lexington	0.00	\$44.00		
06/19/06	Inv. 1856067	Local Travel - Vendor: Boston Car Services -4/27/06 Traci Feit cab fee from office to 42 Claremont St	0.00	\$21.05		
06/19/06	Inv. 1856067	Mileage Allowance/Parking - Vendor: Cash - Boston Bruce E. Falby Parking at 33 Arch Street 4/27/06	0.00	\$30.00		
07/13/06	Inv. 1859511	Local Travel - Vendor: Boston Car Services -5/8/06 L. Core cab fee from office to Somerville	0.00	\$20.55		
07/13/06	Inv. 1859511	Local Travel - Vendor: Boston Car Services 5/1/06 Traci Feit cab fee from office to 42 Claremont St	0.00	\$21.95		
07/13/06	Inv. 1859511	Local Travel - Vendor: Boston Car Services -5/10/06 L. Core cab fee from office to Somerville	0.00	\$23.00		
07/13/06	Inv. 1859511	Local Travel - Vendor: Boston Car Services -5/16/06 L. Core cab fee from office to Somerville	0.00	\$20.35		
07/13/06	Inv. 1859511	Local Travel - Vendor: Boston Car Services -5/15/06 L. Core cab fee from office to Somerville	0.00	\$20.65		
07/17/06	Inv. 1859511	Local Travel - Vendor: Boston Car Services -06/09/06 B. Falby cab fee from office to Needham	0.00	\$53.70		
07/17/06	Inv. 1859511	Local Travel - Vendor: Boston Car Services -5/10/06 B. Barnett cab fee from office to Dedham	0.00	\$57.00		
07/28/06	Inv. 1859511	Meals - Vendor: American express American Express- Bruce Basrnett - LNR/Blue Hills	0.00	\$16.17		
08/14/06	Inv. 1879526	Meals - Vendor: American Express Meal fro LNR/Blue Hills	0.00	\$33.24		
08/21/06	Inv. 1879526	Meals - Vendor: Viga client lunch on 7/13/06	0.00	\$43.47		
08/21/06	Inv. 1879526	Meals - Vendor: Sam LaGrassa's Catering Company client lunch on 7/13/06 - Bruce Falby	0.00	\$79.12		
09/29/06	Inv. 1887754	Meals - Vendor: Tonia Williams 9/6/06; Lori Gazier; Meal re OT Work on Saturday 9/2/06	0.00	\$5.55		
09/29/06	Inv. 1887754	Meals - Vendor: Tonia Williams 9/126/06; Susan McNabb; Cash Expended for Tabs at Lawyers Stationary Co. On 9/12/06	0.00	\$9.66		
09/29/06	Inv. 1887754	Meals - Vendor: Tonia Williams 9/12/06; Karley Gould Dinner from Amurai Kuang Eatery	0.00	\$19.11		
09/30/06	Inv. 1887754	Meals - Vendor: Tonia Williams , B. Falby; lunch with Joe Polcari 9/28/06	0.00	\$16.00		
09/30/06	Inv. 1887754	Meals - Vendor: Tonia Williams , B. Barnett; lunch with Joe Polcari 9/28/06	0.00	\$15.25		
09/30/06	Inv. 1887754	Color Photocopies	0.00	\$53.75		
09/28/06	Inv. 1899286	Lunch with Client	0.00	\$16.00		
10/23/06	Inv. 1899286	Meals- Vendor: Sam LaGrassa's Catering Company Client lunch meeting on 9/20/06 - LNR/Blue Hills	0.00	\$77.54		
10/23/06	Inv. 1899286	Meals - Vendor: Spinelli Ravioli & Pastry Shop 10/10/06 Dinner	0.00	\$123.90		
10/23/06	Inv. 1899286	Meals - Vendor: Au Bon Pain client lunch meeting on 9/21/06 - LNR/Blue Hills	0.00	\$104.50		
0000	0000	Lexis/Westlaw (total from Exhibit F of Falby Affidavit)		\$9,010.45		
		Subtotal - Costs		\$20,878.08		
		Grand Total Unrecoverable Costs and Overhead		\$58,153.08		